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THE GREAT TRIAL  
OF THE  
Nineteenth Century.

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By  
SAMUEL C. PARKS, A.M.

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Kansas City, Mo.:  
HUDSON-KIMBERLY PUBLISHING CO.  
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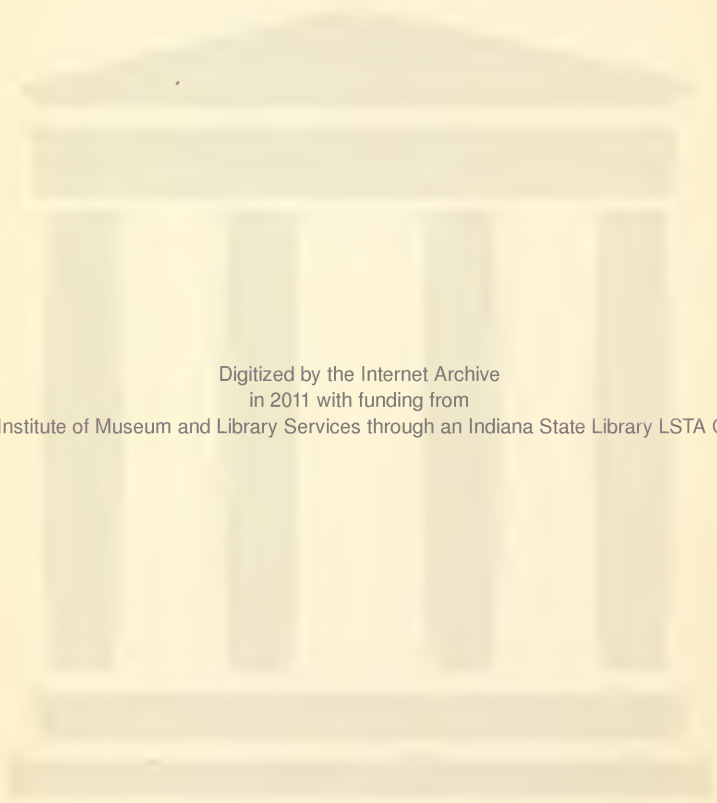
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## PREFACE BY THE PUBLISHERS.

The author of this book, Samuel C. Parks, was born in Middlebury, Vermont, in 1820. Was educated at the Indiana State University, and located in Springfield, Illinois, in 1840, and while a young man he became acquainted with Mr. Lincoln and was always his ardent admirer and close personal and political friend. He was a member of the Illinois Legislature in 1855. Was a delegate from the Springfield district (Illinois) to the first Republican National Convention, held in Philadelphia in 1856, when Fremont was nominated for President. Was at the Republican National Convention held in Chicago in 1860, and assisted in nominating Mr. Lincoln for President. He was appointed associate justice of the Supreme Court of Idaho by President Lincoln in 1862. Was on the Grant electoral ticket in Illinois in 1868. Was a member of the Illinois Constitutional Convention in 1870. Was appointed associate justice of the Supreme Court of New Mexico in 1878 by President Hayes. Was transferred to the Supreme Court of Wyoming in 1882 by President Arthur.

## PREFACE.

In the preface to his treatise on International Law, William E. Hall says: "Since it has come into existence, it has often been quietly ignored or brutally disregarded." The history of the world from the time of Grotius, "the father of International Law," to the present day proves this to be true. Nearly every great nation has violated that law, "quietly" or "brutally." Great Britain has perhaps been more guilty than any other nation. That the United States has been guilty of the same offense within the last two years is shown by the speeches in this book.

From about one to three pages of the speeches herein ascribed to Mr. Clay, Gen. Grant, Mr. Lincoln, Mr. Madison, Count Tolstoi, and Bishop Simpson, respectively, are taken almost literally from their published works. And all of the sentiments and opinions ascribed to the twelve speakers are believed to be in harmony with their respective characters, and to correspond with what they have either done, said, or written.

The greater part of the book was written six months ago. Its completion and publication have been unavoidably delayed till the present time.

June, 1900.

## DEDICATION TO ABRAHAM LINCOLN.

In the summer of the year 1860, at my request and for me, you examined and corrected a biography of yourself which I wished to use in the pending presidential campaign.

Nothing in that book was of more interest and importance than that part of your speech in Springfield, on the 26th day of June, 18~~60~~<sup>57</sup> in which you expressed your view of the meaning and object of that part of the Declaration of Independence which declares that "all men are created equal."

In this "view," as given by the book in question, you made but one correction, substituting the preposition "in" for "with." This was done three years after the speech was written and delivered. So that "view" is your well-considered and deliberate opinion of the most important question affecting the human race, outside of its eternal destiny.

The following is the passage referred to, taken from the copy of the speech in the book as it was corrected by you for me:

"I think the authors of that notable instrument intended to include all men, but they did not intend to declare all men equal in all respects. They did not mean to say all were equal in color, size, intellect, moral development, or social capacity. They defined with tolerable distinctness in what respects they did consider all men created equal—equal in certain inalienable rights, among which are 'life, liberty, and the pursuit of happiness.' This they said,

and **this** they meant. They did not mean to assert the obvious untruth that all were then actually enjoying that equality, nor yet that they were about to confer it immediately upon them. In fact, they had no power to confer such a boon. They meant simply to declare the right, so that the enforcement of it might follow as fast as circumstances should permit.

"They meant to set up a standard maxim for free society, which should be familiar to all, and revered by all; constantly looked to, constantly labored for, and even though never perfectly attained, constantly approximated, and thereby constantly spreading and deepening its influence, and augmenting the happiness and value of life to all people of all colors everywhere. The assertion that "all men are created equal" was of no practical use in effecting our separation from Great Britain; and it **was** placed in the Declaration, not for that, but for future use. Its authors meant it to be as—thank God! it is now proving itself—a stumbling-block to all those who, in after times, might seek to turn a free people back into the hateful paths of despotism. They knew the proneness of prosperity to breed tyrants, and they meant when such should reappear in this fair land and commence their vocation, they should find left for them at least one hard nut to crack."

This view was the view of the Republican party. It was the fundamental principle of your administration, and was not seriously questioned for thirty-six years after your election as President. Indeed, the fact that your election vindicated your view of the Declaration was, as you well know, one principal reason why the writer and so many of your friends rejoiced in your election.

But a great change has taken place in this country within the last three years. The attempt which was made forty years ago to fritter away the Declaration, and to leave it no more, at most, than an interesting memorial of the dead past, shorn of its vitality and practical value, and left without the *germ* or even the *suggestion* of the individual rights of man in it, as described by you in the speech referred to, has been renewed by men professing to be your followers.

This book is written with the hope that it will tend to expose the folly and madness of this second attempt to destroy the great Declaration of the rights of man. If that hope should be realized, it will be a very great gratification.

*The Author.*





## THE TRIAL.

"I had a dream, but 'twas not all a dream."

—*Lord Byron.*

The thoughts that came into my head upon my bed were these: I dreamed that I was on a visit to a strange city, and while there, was taken to see a new and great court-house—the largest in the world. This building had been erected for the use of a new court, which had been created, organized, and established recently for the trial of great criminal cases. Its jurisdiction extended over all countries and through all ages. This great court was now holding its first session. The building was situated on a lofty eminence, commanding a fine view of all the neighboring country, and was surrounded by noble forest trees, a large variety of evergreens, and a great abundance of beautiful flowers. It was built of the finest marble, was admirable in its proportions, workmanship, and finish, and had a larger seating capacity than any building, ancient or modern, except the Flavian amphitheatre. Its acoustic properties were so perfect that Mr. Clay could be heard in it by forty thousand people.

When I entered the court-room, two cases had already been disposed of. In one Edward, the Black Prince, son of Edward the Third, King of England, had been tried for the murder of three thousand men, women, and children, inhabitants of the city of Limoges in France, in the year 1370. The facts in this case had been admitted by the defense.

Mothers, with their infants in their arms, had begged the enraged conqueror for the lives of themselves and their children; but he had put them all to death and made their city a desolation.

The only defense the attorneys of the Prince attempted was an impassioned appeal to the jury, founded on his hitherto high character as a man, and the glory he had won for himself and his country by the wonderful victories of Cressy and of Poitiers. But the appeal was vain. The jury brought in a verdict of "Guilty of murder in the first degree."

The second case tried was an indictment against Napoleon Bonaparte for the murder of five hundred thousand Egyptians, Spaniards, and Russians, at various times charged in the indictment.

In this case also the facts were admitted. The defendant had waged wars of invasion and conquest against the nations aforesaid, and therein had caused the death of half a million of men, including a great many thousands of the French.

A very determined and confident effort was made by the defense to prevent a verdict of guilty, by urging upon the jury that Napoleon was a great statesman as well as a great warrior; that he had done more for the elevation and glory of France than any other man that ever lived; and that four years' confinement to the island of St. Helena was an all-sufficient atonement for any evil he may have done.

But the instructions of the court upon the subject of murder were too full and clear to be disregarded by the jury, and they brought in a verdict of guilty as charged in the indictment.

All pertaining to the first two trials I learned afterwards from a friend who witnessed both. The third I saw and heard myself. It was an indictment against William McKinley for murdering twenty thousand Filipinos and two thousand Americans, many of whom were boys between sixteen and twenty-one years of age.

In this case nothing was admitted. The prosecution were required to prove their entire case. The defense disputed every inch of ground. They omitted nothing that was admissible as evidence or argument in favor of their client. In fact, the high position of the defendant, the circumstances and the surroundings, were calculated to rouse both parties to almost superhuman efforts. It was the most imposing scene I ever witnessed.

The presiding judge was Chief Justice Marshal, and associated with him were John Jay and Chancellor Kent. The jury were Aristides of Athens, Cincinnatus of Rome, Lafayette of France, Alfred the Great of England, Count Tolstoi of Russia, Presidents Washington, Jefferson, Madison, Lincoln and Grant, Henry Clay and Bishop Simpson.

The vast audience of more than twenty thousand persons was composed of men from nearly all countries and all ages; nearly every foreign ambassador, nearly every United States senator, a majority of the House of Representatives, prominent men from every State, and from the adjacent country, men from every profession and pursuit. This mighty audience was completed and adorned by the largest array of intelligent and brilliant women ever assembled under one roof in the United States.

The great court-room was crowded when I entered and

forced my way up to the bar, but at a hint from Mr. Lincoln, one of the bailiffs gave me a seat where I could hear and see all that was said and done.

The attorneys for the prosecution were Boutwell of Massachusetts, Reed of Maine, Edmonds of Vermont, and others of less note. For the defense, Senators Hanna, Chandler, Depew and Morgan, Col. Watterson of Kentucky, and two or three preachers who, by courtesy, were called "Christian ministers."

It was proved, that "at the time the United States declared war against Spain, the Filipinos had been fighting for liberty and independence for several years, and had nearly attained their freedom; that upon the arrival of the United States forces at the Philippine Islands, the Islanders became allies of the United States in their war against Spain; that at the close of that war the Filipinos still claimed their independence and their right to govern themselves, and denied the right which was claimed by the defendant, as Commander-in-chief of the Army and Navy of the United States, to govern them and exercise proprietary rights in their country; that, to enforce his claim, the President made war upon them, and by that war had caused the death, in battle and by wounds and disease, of twenty thousand Filipinos and two thousand Americans whom he had ordered there to fight, and that some of the latter were boys under twenty-one years of age."

The defense was, that "by the treaty of peace with Spain the United States had gained the sovereignty of those Islands, and that the President could not surrender it; that he had a right to enforce his claim to them to the extent of

the extermination of the inhabitants if they would not otherwise submit to his authority."

For a further defense it was pleaded that, "in prosecuting the war upon the Filipinos, the defendant was seeking to establish peace, humanity, civilization, and Christianity among them; that the war was for their own good, and no matter how much it cost in blood and treasure, it would finally result in peace, prosperity, and happiness."

For a further defense it was claimed, "that the United States needed the Islands in their business; that they were very, very rich, and would be a source of great profit to American speculators, traders, merchants, agriculturists, cotton-raisers, and office-holders; that it was the true policy of the United States to expand and create a colonial empire after the fashion of Great Britain; that it was the manifest destiny of the Anglo-Saxon race to control the world; that honor and patriotism demanded that the American flag should wave to the end of time wherever it had once been planted; and that to stop the Philippine War now would make our country an object of ridicule for a hundred years."

The trial lasted several days, the case being very ably and thoroughly argued on both sides. The Court was absolutely impartial. The motto of Chief-Justice Marshal in this case, as in the trial of Aaron Burr, was "*Fiat justitia, ruat coelum.*" His instructions covered the whole doctrine of murder and were the most admirable specimen of that kind of literature I ever heard of read.

The case was given to the jury at ten o'clock in the morning, and at six o'clock in the evening they brought in their verdict. George Washington was the foreman. As

he arose and handed the verdict to the clerk of the court to be read his appearance was majestic. All eyes were now upon the clerk. The stillness was intense and the interest and suspense painful. The verdict was, "Guilty as charged in the indictment."

Up to this time, and during his long trial, the prisoner had borne himself with a firmness (perhaps I should rather say hardihood) worthy of the man who made that terrible speech at Pittsburg, presaging the conquest of the Filipinos. Now, as all eyes were turned to him, upon the reading of the verdict, he started as if he had received a violent electric shock, then turned deadly pale and had to be supported in his chair by his attendants.

A motion for a new trial was made by his attorneys, and ten o'clock the following day was set for hearing it, and the court adjourned.

The argument of the motion the next day was lengthy, and, upon the part of some of the attorneys for the defense, very abusive. The Court took a recess of one hour to consult, and at the end of that time they returned, overruled the motion, and again adjourned.

Then ensued a most extraordinary scene. Mr. Clay, the boldest and most self-reliant public man of this century, arose and requested all the people to remain till he made an announcement.

He stated that the trial which had just closed was the most important that had ever occurred in the history of this country. The verdict had been severely criticised and he thought the jury owed it to themselves and to the people



of the United States to make a public statement of the grounds of their verdict; he had consulted with the jury during the recess, and they all agreed with him, that, as there was to be no court to-morrow, they would meet in the court-room for that purpose at ten o'clock the next morning.

At the hour appointed the court-room was, if possible, more crowded than during the trial. General Washington was elected president of the meeting, by acclamation; Mr. Lincoln vice-president, and Mr. Clay secretary. The president directed the secretary to call the names of the jury in alphabetical order, beginning with Aristides.

#### SPEECH OF ARISTIDES.

"It is plain, from the evidence, that the killing in this case was done by the order of the defendant; but it is contended that as it was done in a state of war, it cannot be murder. This would be true if the war was just or necessary, but this war was neither. On the contrary, the circumstances under which the war was made aggravate the offense, for the Filipinos were, or had been, the allies of the Americans in their war against Spain.

"It has always been my opinion that war never was justifiable except in necessary self-defense, such as the wars of Greece against Persia, and the wars of America against England. Offensive wars always injured Greece, and the Peloponnesian war was ruinous to Athens. It was not merely by war that Greece became the admiration of the world, and Athens the most wonderful city that ever ex-

isted; it was more by the success of their great men in the works and arts of peace.

"I am proud of the heroic deeds of the warriors of my country, but I am still more proud of those greater exhibitions of superior mental power which still shine with such lustre in the works of her poets, orators, statesmen, and sages; and of those edifices and monuments which still attest the skill and taste of her artists, architects, and builders. Who can tell how much they have done for the civilized world in the last two thousand years? Bright was the glory and green were the laurels which they won at Marathon, Salamis, and Plataea; but dim is that glory and faded are those laurels when compared with the honors and blessings which will ever rest on the poets and orators, philosophers and statesmen of my native land.

"My countryman Themistocles was a man of superior genius, and rendered great services to his country in the Persian war, and the failure of the fearful invasion of Xerxes was, in large measure, due to him; but he was ambitious, selfish, and corrupt. After the defeat of the Persians at Marathon and Salamis, and when Xerxes had retreated to Persia, Themistocles proposed to the Athenians to destroy the ships of their allies, and thus secure the naval supremacy of Athens. The Athenians rejected the proposal as unjust and perfidious, and they were clearly right in so doing.

"In the present case, the defendant has done worse with the allies of the Americans in the war against Spain than Themistocles proposed to do with the allies of the Athenians. He has attempted to appropriate their country to the use of the Americans, unjustly; and, because they re-



fused to yield to his demands (as they had a perfect right to do), he has caused thousands of them to be slaughtered. In my opinion this was a clear case of wholesale murder. The verdict was right in itself, and necessary to deter other rulers from similar crimes.”

The next speaker was Alfred the Great. Of this prince it has been said: “He lived solely for the good of his people. He is the first instance in the history of Christendom of the Christian king; of a ruler who put aside every personal aim or ambition, to devote himself to the welfare of those whom he ruled. So long as he lived he strove ‘to live worthily’; but in his mouth a life of worthiness meant a life of justice, temperance, self-sacrifice. The Peace of Wedmore at once marked the temper of the man. Ardent warrior as he was, with a disorganized England before him, he set aside, at thirty-one, the dream of conquest, to leave behind him the memory, not of victories, but of ‘good works,’ of daily toils, by which he secured peace, good government, education for his people. His policy was one of peace.”

This is a very high eulogy, but it is just and true. In the moral grandeur of his character, Alfred never had an equal among the kings of England, and perhaps never had a superior among the rulers of the world in all countries and all ages. And who is that ruler now living (if any) who, in this respect, is his equal?

## SPEECH OF ALFRED THE GREAT.

The appearance of Alfred created great interest, and his remarks made a deep impression upon the audience.

He said that his experience in war had been so long and so severe that he had very decided convictions on that subject. When he came to the throne of England his country long had been, and then was, subject to the incursions of the Danes, who made frequent and destructive invasions and wars against his people. He was forced to fight them for years, to save his countrymen from utter ruin. At one time they pressed him so hard that he was obliged to seek safety in a little island in a swamp and remain concealed for a year. At last he succeeded in quietly raising a new army, defeated the Danes in a great battle, besieged them in their camp, and reduced them to the last extremity. He then gave them their lives and liberty upon condition that they would settle in and cultivate that part of the kingdom which they had laid waste and depopulated and become quiet, useful, and Christian people. This they agreed to do, and, to their credit be it spoken, they gave him but little trouble for many years. (This is what historians call "The Peace of Wedmore.") This settlement with the Danes gave him the opportunity to improve his own people in all the works of peace, and to devote himself to science, learning, and law; to restore order, educate his countrymen, and to encourage men of learning, wisdom, and piety.

The Anglo-Saxons and the Danes were very ignorant and brutal, and he esteemed what he did to raise them from their low intellectual and moral debasement of far

more value to his country than his services in war. In order to educate his people, he was obliged to improve himself in science and literature, and he had come to the conclusion that education was the noblest work in which man or woman could engage. He said:

“It was much easier to subdue the Danes than to conquer the ignorance of the Saxons, the Angles, and the Jutes, who by brute force had driven out the ancient Britons and taken possession of their country.

“Nearly all wars are the offspring of ignorance and rapacity. It was the rapacity of the English kings and the ignorance of the English people that caused the Hundred Years’ War to conquer France. Besotted by ignorance, poverty, and vice, the deluded people did not know any better than to desire this conquest, and they committed fearful crimes and cruelties to that end, although themselves, as well as the rulers whom they followed and obeyed, were nominally Christians. They were too ignorant and brutal to realize the wickedness and cruelty of their invasion of and ravages in the country of another professedly Christian people; and it might be said with truth, as a reason for forgiving them, ‘They know not what they do.’

“The war against the Philippines was very much like the war of the Anglo-Saxons against the ancient Britons, in its origin and objects. The Saxons and Britons had been allies in a war against the Picts and Scots, and had driven those fierce marauders out of Britain. The Saxons then demanded the country of the Britons for themselves, and, because the Britons refused to yield to their demand, waged a

war of extermination against them, conquered them, and took possession of their country. The people who committed this atrocity have always been considered robbers and murderers, and the English historians call them 'pirates.'

"In like manner the Americans and the Filipinos had been allies in the war against Spain. At the end of the war, the rulers of America demanded the Philippine Islands for themselves; and, when their demand was refused, the defendant in this case made war upon them and committed the crimes charged in the indictment.

"If the people of the United States who favor the war made by the defendant really believe in it, they need education in the ways of truth and justice as much as those remote Anglo-Saxon ancestors from whom they are said to be descended.

"I will leave with the speakers who are to follow me to answer the many defenses and excuses which have been made for this war. There was one, however, so remarkable that I will notice it. It was said that such wars always had been and always would be. And, to support this argument, the saying of Solomon had been quoted to this effect: 'The thing that hath been, it is that which shall be; and that which is done is that which shall be done.'

"If this reasoning is good to sustain one evil, it is good to sustain many others. Its general adoption and application would prevent any improvement in morals, or any amelioration of the condition of the mass of mankind. The better doctrine is that whatever 'has been' that is wrong should be righted; and that neither time, nor custom, nor authority can 'blazon evil deeds, or consecrate a crime.'

“The war against the Filipinos was a crime; the deaths caused by it were properly charged to the author of that war, and were correctly characterized in the indictment as murder. The verdict should be sustained by the people, as it has been by the Court, and all such wars should be put under the universal ban of the civilized world.”

#### SPEECH OF CINCINNATUS.

Cincinnatus said that he had been obliged to leave his farm twice and go to war, but he had done so with reluctance, and as soon as the emergency was over, gladly returned to his plow. That he was opposed to all wars of aggression and conquest as unnecessary, criminal, and ultimately ruinous to the country that made them, though at first apparently an advantage. Such wars had ruined Rome. The spoils of the conquered nations corrupted the Romans, made them luxurious, profligate, and brutal, and an easy prey to the barbarians of the North. War is the worst occupation of human life, and farming is the best. The first is for the destruction of the human family, and the last for its preservation. He would advise every soldier to leave the army as soon as he could and go to farming or some other useful employment. He continued:

“It may be true, as Alfred says, that the work of education is the noblest employment of man, but few soldiers are capable of becoming teachers. General Washington set an excellent example to his countrymen after the close of the Revolutionary War, in resigning his commission, retiring to

his farm, and engaging in its cultivation and improvement. General William Henry Harrison did the same after the War of 1812. It would tend to the betterment of society if half of the prominent military men of the world and three-fourths of the rank and file of all its armies would follow the example of Washington, Harrison, and myself: engage in the noble pursuits of agriculture, in producing from the earth the means of sustenance and of procuring the necessities and comforts of life. The world needs no wars and not many soldiers, and the day is coming when he will be esteemed the greatest patriot and philanthropist who has done the most to put an end to war.

"In this case the plea that the defendant killed the Filipinos and the Americans in war is no defense, for he made the war, knowing and intending that result, and for the purpose of acquiring territory to which he had no right, and of making serfs of a people who had been fighting for many years to be free and to govern themselves, and who had nearly attained their freedom."

#### SPEECH OF MR. CLAY.

Mr. Clay was the next speaker. He has been described by Mr. Seward as "the greatest, the most reliable, and the most faithful of all our statesmen." The great interest which his appearance excited was intensified as he proceeded, and he held the vast audience for more than an hour, as if bound by a spell. He said:

"I regard the questions growing out of the war with



the Filipinos as the most important that I have ever been called upon to consider. The doctrines advocated by the President—the author of that war—and by his defenders, are utterly subversive of the principles upon which this government was founded. I thank God that He has permitted me to address my countrymen on this great occasion, and I invoke His blessing upon my effort, and humbly implore Him to lend to His unworthy servant the power, intellectual, moral, and physical, to rouse my countrymen to immediate, determined, and successful opposition to such pernicious and destructive principles.”

Mr. Clay had an eagle eye, a voice of amazing sweetness and power, and a commanding presence and manner. No one could doubt his entire sincerity, and this exordium which I have given so briefly and imperfectly, and this appeal to the Almighty for aid by the most self-reliant and imperious orator in the world, had an effect which I will not attempt to describe. From this time the audience was, to all appearance, entirely *en rapport* with him.

“The principal defense in this case,” Mr. Clay continued, “was, ‘that the killing,’ done by order of the President, ‘in the Philippine Islands was done in war’; but that is no defense unless the war was necessary. A nation, or rather the commander-in-chief of the forces of a nation, has no more right to kill a thousand or ten thousand men in an unnecessary war than an individual has to kill another individual without sufficient cause. Nations are but collections of individuals. They pursue the same objects, are governed by the same motives, and are amenable to the same moral laws; and the moral guilt of murder attaches to every na-

tion, or to the executive of any nation, for the death of every man who is deliberately killed, on either side, in any war which that nation or its executive has unjustly made.

“War is one of those dreadful scourges that so shakes the foundations of society, overturns or changes the character of governments, interrupts or destroys the pursuits of private happiness—in short, brings misery and wretchedness in so many forms, and at last, in its issue, is so doubtful and hazardous that nothing but dire necessity can justify an appeal to arms.

“War is the voluntary work of our own hands, and whatever reproaches it may deserve, should be directed to ourselves. When it breaks out, its duration is indefinite and unknown, its vicissitudes are hidden from our view. In the sacrifice of human life and in the waste of human treasure, in its losses and its burdens it affects both belligerent nations; and its sad effects of mangled bodies, of death and desolation, endure long after its thunders are hushed in peace.

“War unhinges society, disturbs its peaceful and regular industry, and scatters poisonous seeds of disease and immorality which continue to germinate and diffuse their baleful influences long after it has ceased. Dazzling by its glitter, pomp, and pageantry, it begets a spirit of wild adventure and romantic enterprise, and often disqualifies those who embark in it—after their return from the bloody fields of battle—from engaging in the peaceful vocations of life. Upon the nation itself wars waged for the purpose of conquest, to add to its territory, trade, and wealth,



are always, sooner or later, destructive of its prosperity and happiness.

“Of all the dangers and misfortunes which could befall this nation, I should regard that of its becoming a warlike and conquering power the most direful and fatal. History tells the mournful tale of conquering nations and conquerors. Assyria, Babylonia, Chaldea, Media, and Persia were all warlike and conquering nations, and all perished by the sword. Greece and Macedon took the sword to conquer Persia, and their great leader, Alexander, founded a more mighty empire upon the ruins of the kingdom of Cyrus; but he died an early and miserable death, which originated in his own great successes and the consequent prostitution of his great powers to ignoble ends; and his empire passed away like the baseless fabric of a vision.

“Rome was the great conquering nation of antiquity. But the fruit of her conquests, the spoil of the nations, enriched, corrupted, enervated, and debased her; and the northern barbarians put her to a long, lingering, and ignominious death of more than three hundred years’ duration.

“France, under her great captain, Napoleon, was the supreme conquering power of modern times, but her very success ruined her. ‘The demon of conquest allured her too far.’ She became a suppliant at the feet of assembled Europe for her own existence, and has sunk to be a second-rate power among the nations.

“The Anglo-Saxons waged a war of extermination against the Britons for one hundred and fifty years, with some intervals, and conquered them; but three hundred and eighty years after, the Norman punished the Saxon with

terrible severity for his cruelty to the Briton, and ruled him with a rod of iron. Centuries passed away and the Saxons, the Danes, and the Normans became blended into one homogeneous people; but still retaining the Saxon characteristic propensity for piracy and waging war throughout the world upon any weak people from whom they desired to obtain territory, trade, or tribute.

"Hitherto their insular position has saved them from being overrun by any of the great nations of Europe; but the time, foretold by Macaulay, when 'some traveler from New Zealand, in the midst of a vast solitude, will sketch from a broken arch of London Bridge the ruin of St. Paul's,' will surely come and may come soon.

"Spain, in the time of Charles Fifth, was the dominant power of Europe—a great, wealthy, conquering, cruel power—but for many years she has been on the decline, and to-day she is almost contemptible. As a prominent power in the world she has perished from her own conquests, avarice, corruption, and cruelty.

"It is the law of this world—proved by the experience of three thousand years—that any nation which makes an unnecessary and destructive war upon another shall herself, sooner or later, be punished for her wickedness. Generally the punishment grows out of the original wrong, and often it is inflicted in the same form as the original wrong.

"Our war with Mexico was unjust and unconstitutional, made by the President of the United States to acquire territory for an unrighteous purpose. In that war we murdered thousands of Mexicans and at its close took one third of her

territory for one-tenth of its value—a mere nominal sum—in a vain attempt to cover up the real robbery. Seventeen years afterwards we were punished for that outrage by being plunged into a terrible civil war, which grew directly out of the question of slavery in the territory acquired from Mexico. It is only necessary to allude to the horrors of that war. It cost the loss of a million lives, the waste of thousands of millions of money, and the destruction of thousands of millions of property, and filled this land with sorrow and mourning.

“The war against the Filipinos was also commenced by the President in the same way as the Mexican War, unjustly and unconstitutionally, and in order to deprive those people of their liberty and property, and to force upon them a foreign government, to which they did not consent, and to which they rightfully refused to submit. None of the pretenses upon which the President made and is carrying on this war will bear examination, and some of them are hardly worth notice. There is no possible way in which we can acquire sovereignty over them except by their own consent, which they have utterly refused to give from the beginning. ‘They are a part of the human race, as capable as we are of pleasure and pain, and invested with as indisputable a right as we have to judge of and pursue their own happiness.’

“In fighting them we are warring against the Constitution of the United States, the Declaration of Independence, the fundamental principles of our own government, and are laboring to bring down upon our country the terrible punishment which always follows such great national sins.

"It is possible that if Congress repudiates the war of the President, the country may escape its impending doom. But if Congress approves it and changes the war from an executive and personal one to a national one, our fate is sealed. How soon our punishment will come is known only to Omniscience.

"That Mighty Hand which formed and regulates the machinery of the moral world seems at times to increase its speed and at times to retard it; sometimes to hasten the punishment of great national crimes and at others to postpone it. England has not yet been punished for some of her outrages upon the nations; but the United States was punished within a few years after its commission for the spoliation of Mexico. All the signs of the times indicate that our next chastisement may come soon. It is possible that it may be postponed to after-times.

"It was argued in this case that 'honor and patriotism required the President to make and continue this war to the extermination of the Filipinos if that were necessary to subdue them.' Few words in our language are more abused than the words 'honor' and 'patriotism.' False notions of honor have led to the murder of thousands of men in duels—many of them great and useful men like Hamilton and Decatur—false notions of honor have led to the slaughter of millions of men in war.

"A great writer defines honor as: 'The finest sense of justice the human mind can frame.' Nothing is honorable that is not just, and everything is dishonorable that is unjust. By this standard the acts of nations as well as of individuals must be measured, and their record must be made.

If it is a record of blood shed in an unjust (or an unnecessary war, which is substantially perhaps the same), all the waters of the ocean cannot wash it out, and it will be a record of dishonor to the end of time.

“Nor has the word ‘patriotism’ any proper application as here intended. Patriotism in war requires us to fight for our own country in a just war. It does not require us to fight against any country in an unjust war, for unjust wars ruin the country that makes them.

“One of the ablest writers living has said: ‘The greater part of the bloody deeds which disgrace history and make of it such immoral reading were committed in the name of patriotism.’

“Many of the greatest tyrants, traitors, and hypocrites who ever lived had a great deal to say about patriotism. They chose the livery of heaven to serve the devil in; for true patriotism is a heaven-born virtue. It is founded in justice and truth; it draws its inspiration from the God of truth and justice, and is ever faithful to the source from which it sprung. True patriotism has been called the noblest of human virtues; but there is no nobility in fighting for injustice and falsehood or robbery or murder. The true patriot labors in war and in peace for those things, and those things only, which will redound to the real and lasting good of his country. He rejoices in her success in every just and useful enterprise; weeps over her errors and misfortunes; burns to avenge her injuries; labors for her universal prosperity; and dies, if necessary, for her preservation. It is to such a patriotism in the hearts of our fathers, animating them alike in the council and on the bat-

tle-field, that we are indebted for these inestimable institutions; and if posterity ever enjoys them, it will be indebted to the same spirit so animating and so directing this generation.

"But the words 'patriotism,' 'honor,' and 'glory,' as applied to this most lamentable war against the Filipinos, are entirely out of place. As so used, they are merely what Shakespeare calls 'springs to catch woodcocks.'

"It was said in the argument that 'the Filipinos are barbarians, and that the President's war against them is a war for civilization, and, as such, should be sustained by Congress and the people.' Exactly the contrary is the fact. Wars of conquest, such as this, are the very highest expressions of barbarism. The object of the party that carries on the war to subdue the other and make it submit to its authority, is to conquer it by inflicting upon it an intolerable amount of wounds, disease, starvation, misery, and death. Such a war means murder, robbery, arson, drunkenness, gambling, and crimes that strike the soul with horror but to name them. General Sheridan said, 'War is hell.' Such a war as this is the very pit of that deplorable region.

"To say that civilization can be spread by the barbarism of such a war is like saying that truth can be spread by falsehood, knowledge by ignorance, or light by darkness. In such a war the aggressor is the greater barbarian of the two, no matter what his superiority may be in other respects, nor what his professions and pretenses may be.

"But it is said by the defense that 'no matter what the merits of the contest may have been originally, neither the



President nor Congress can stop it now. It must go on till the Filipinos are subdued. That any other course would be a lasting injury to our country and make us the laughing-stock of the world.'

The answer to this is, that some of the greatest nations and wisest statesmen and most successful warriors have, when the occasion demanded it, done this very thing, and always with good results. Alexander the Great commenced the conquest of India and was loth to give it up; but his soldiers convinced him that it would be a foolish thing to persevere in such an undertaking, and he reluctantly led them back to Babylon, the capital of his empire, and was stronger and more popular for it.

Augustus Cæsar fixed the boundaries of the Roman Empire at the Danube on the north and the Euphrates on the east. One of his successors, the Emperor Julian, undertook to spread Roman civilization beyond these rivers by war and to enlarge the boundaries of the empire. In this attempt he lost a large part of his army and his own life. His successor, Hadrian, restored the boundaries of Augustus and settled all questions with the nations concerned peacefully and to the benefit of his country and to his own honor.

"William the Conqueror, in the zenith of his power, undertook the conquest of Brittany, a province in France, and made some advances in that direction. But he found it a very difficult and doubtful job; and, notwithstanding his characteristic determination and stubbornness, he had the good sense to give it up and retire to his own country.

"Edward the Third and Henry the Fifth and his suc-

cessors attempted to reduce France to a state of vassalage to England, and did conquer a large part of it and gain some great victories. But the labors of a century were vain. A patriotic and enthusiastic girl broke the power of England, and the invader was compelled to abandon every foot of land acquired in France after a hundred-years war. The English historians inform us that this result was a great benefit to their country and laid the foundations of her future greatness.

“Great Britain tried, wickedly, to reduce her North American colonies to subjection; failed, after a seven-years war, and acknowledged their independence. Macaulay informs us that ‘his country was more powerful after she lost those colonies than before.’

“These and other instances which might be adduced show that it is mental weakness, not strength, which causes rulers to persevere in a wicked or foolish war for fear of ridicule.

“It is too late for Mr. McKinley and his supporters in the Philippine business to try to avoid ridicule. They have run the whole gamut of absurdity from ‘criminal aggression’ to ‘benevolent assimilation.’ They have attempted to prove that barbarism is civilization, that slavery is freedom, that wrong is right, and that black is white. In the meantime they have murdered many thousand men and are vigorously preparing to do much greater slaughtering in the same line.

“These things have made the President and his supporters not only ridiculous, but odious, and it is a ridicule and odium which will last.



“ ‘Derision shall strike them forlorn,  
A mockery that never shall die.’

“It was said in the argument, that ‘the time had come for the United States to be a world power, and to that end this nation should imitate the example of the other great Anglo-Saxon nation, and adopt the colonial system, and extend her territories and dominion around the globe.’

“The answer to this is, that the example of England is a bad one. She has been the great robber nation of the world for 1450 years. The Anglo-Saxons landed on the coast of Kent in 449 A. D., and according to the English historians they were pirates then; and, in dealing with weaker people, whose territory or trade they coveted, they have been pirates and robbers and murderers ever since. They started in England as the allies of the Britons, but in a short time they demanded the country of its possessors and owners; and, because the Britons denied their demand, they waged a war of extermination against them, with short intervals, for one hundred and fifty years, and finally conquered them.

“Then they turned their weapons against one another and, off and on, were engaged in civil wars of great atrocity for nearly two hundred years, until the advent of the Danes compelled them to attend to these new robbers, who pillaged the country from time to time for about two hundred years more, till William the Conqueror crushed them altogether.

“The English robbed and murdered the Irish for centuries. An English historian says: ‘They made Ireland the abode of wretchedness for five hundred years.’ The Irish

patriot Emmet told the judge who condemned him to an infamous death for seeking the freedom of his country, that 'if all the blood he had unrighteously shed was collected in one vast reservoir, his Lordship could swim in it.' The Irish soil has been enriched by the blood of thousands, shed by the remorseless Englishman.

"The principality of Wales was harried for centuries by the English pirates; and their so-called 'greatest king,' Edward the First, put the Welsh prince David to an ignominious death, and had him drawn and quartered for his devotion to the liberties of his country.

"The Scottish patriot Wallace suffered the same fate at the hands of this king. Scotland was for ages the scene of British oppression and cruelty, and even William the Third caused one of the Scottish clans to be massacred at Glencoe, with such circumstances of treachery, perfidy, and cruelty as caused the ear of humanity to tingle and left an indelible stain on the escutcheon of the English king.

"England tried for more than one hundred years to conquer France. The bones of myriads of Frenchmen slaughtered to gratify the ambition of English kings and of the English people are mingled with the dust throughout half the provinces of the country of Lafayette.

"India is a fair specimen of the English colonial system. The country has been bled for ages to satisfy the insatiate greed of the Anglo-Saxon for territory, trade and tribute, and it takes an army of 75,000 soldiers to keep the natives of that country from rising against their oppressors and in vengeance driving them into the Indian Ocean. Burke described the men who managed the affairs of the East In-

dia Company as 'men whom no treaty would bind and against whom the laws that held the world together were no protection.'

"In 1840 the Chinese authorities determined to stop the English traders from selling opium to their people, and, by agreement with the English envoy residing in that country, twenty thousand casks of opium were destroyed. For this England made war upon China, took several of her cities, and compelled her to pay an indemnity of about \$20,000,000. This was done by a Christian nation to a pagan nation, because the pagans wished to stop the Christians from demoralizing their people by an accursed drug.

"For years past England has been waiting for a favorable opportunity to dismember China and appropriate all she can get of her territory. She is encouraging our war against the Filipinos because it gives countenance and support to her Asiatic and African colonial policy of conquest, territorial subjugation, expansion, and tribute; and at present she is endeavoring to blot out the South African republics and put their territory into her capacious maw.

"The history of England for a thousand years is largely a history of robbery and murder. Considering the great advantages she has possessed during the greater part of that time, it is a most sickening portion of the history of the human race. It is in a great measure the history of an intelligent and progressive barbarism.

"To the United States, Grèat Britain has been an unnatural step-mother. She tried to reduce us to slavery in the Revolution. She employed the Hessians and the Indians against her own children. She was against us in our late

fearful struggle for national existence, and secretly favored and assisted the Southern Confederacy. She encourages us in our present unhallowed war for selfish purposes, and will turn against us whenever her interest demands it.

“There have been many great and good men in England and the world is indebted to them in every department of science, literature, and art. Pitt, Burke, and other great orators and statesmen opposed the government of their country in its oppression of our fathers before the Revolution and in the war it made to subdue them, and their names should be honored and revered forever. England has produced many philanthropists who have been benefactors of mankind.

“But the greatness of England in dealing with other nations, and especially with weaker ones than herself, has been an intellectual and not a moral greatness. In this respect she has ever been an oppressor and will be so held till her foreign policy is changed. Distant, far distant be the day when this country shall be misled by the baleful light of her example; but that example, and the new and strange doctrines by which it was attempted to defend this Philippine War, must be repudiated by the American people. The war upon the Declaration of Independence, the attempt to overthrow or undermine it, must cease. The effort to suppress the freedom of speech and establish a military despotism in the name of patriotism must be put down. The government of this country must return to the principles and practice of the men who founded it. It must stop its mad career of war and conquest. While claiming, defending, and preserving the right of the people of the United States to liberty, independence, and self-government, it

must concede the same rights to all other nations and peoples. Thus only can it secure the confidence of the people, the respect of mankind, and the favor of that Almighty Power who holds the destinies of men and nations in the hollow of His hands.

“It will be a glorious day for our country when it can be said with sincerity and truth that all its rulers and all its people are in favor of liberty for all nations, and opposed to forcing any form of government upon any people. May God speed the coming of that day.”

#### SPEECH OF GENERAL GRANT.

General Grant's speech was a surprise to me. I knew the General personally and considered him the most quiet, reticent public man I had ever known. Great interest was felt in what he would say, but it was not expected that he would say much. On the contrary, he made what, for him, was a long speech. This may have been caused by the speech of Mr. Clay, who preceded him, and to whom he referred. It is highly probable that he was led to speak so freely of the Mexican War by what Mr. Clay said on that subject. He says, in his “Memoirs,” that he “was a great admirer of Mr. Clay.”

He begun by stating that although he had served in two wars, the Mexican War and the war to put down the Rebellion, the military profession was not his choice. When he was a student at West Point his highest ambition was to be a professor in some college or university. A military life

had no charms for him, and he had not the faintest idea of staying in the Army, even if he should be graduated, which he did not expect. His going to West Point was his father's arrangement, not his. The first year he was there a bill was introduced into Congress to abolish the Military Academy, and he was in hopes it would pass, as he saw in this an honorable way to obtain a discharge. But the bill failed, and he remained a cadet at that institution.

It was in this way that he became a soldier in the Mexican War. He had always considered that this was a political and an unholy war. He was bitterly opposed to the annexation of Texas, and to this day he regarded the war which resulted as one of the most unjust wars ever waged by a stronger against a weaker nation. It was an instance of a republic following the bad example of European monarchies, in not considering justice in their desire to acquire additional territory.

Even if the annexation itself could be justified, the manner in which the subsequent war was forced upon Mexico cannot. The fact is, annexationists wanted more territory than they could possibly lay any claim to as part of the new acquisition.

In taking military possession of Texas after annexation, the army of occupation, under General Taylor, was directed to occupy the disputed territory. The army did not stop at the Nueces, and offer to negotiate for a settlement of the boundary question, but went beyond, apparently in order to force Mexico to initiate war. He was satisfied that General Taylor looked upon the Mexicans as the aggrieved party, but he was obliged to obey his instructions. This is one of



the greatest objections to the military profession—that the soldier is obliged to obey his orders, no matter how unjust they may be. Practically, the soldier is a machine, having no use for either conscience or principle, as against his orders, and must run as the machine master directs, even if he runs himself and his country to perdition.

The presence of United States troops on the edge of the disputed territory furthest from the Mexican settlements was not sufficient to provoke hostilities. We were sent to provoke a fight, but it was essential that Mexico should commence it. It was very doubtful whether Congress would declare war; but if Mexico should attack our troops, the Executive could announce, "Whereas, war exists by the act of Mexico," etc., and prosecute the contest with vigor. Once initiated, there were but few public men who would have the courage to oppose it. As a rule, American soldiers are brave; but American politicians are not. And it often happens that a brave soldier, when he is turned into a politician, is, by that very act, turned into a coward. The history of our country has furnished some striking examples of this truth. As to politicians, he had heard of very prominent ones who were strongly opposed to the Philippine War (while the Administration was in suspense whether to make it or not), as unjust to the Filipinos and ruinous to our own country; but who, after it was brought on by our management, denounced as traitors those who continued true to their convictions, and still held and expressed their original and honest sentiments. Such men sacrifice their country to their party, and are unsafe counsellors for a free people.

This war is a good illustration of the trite saying that

"history repeats itself." We were exploited into a war with the Filipinos in the same way, substantially, as the Mexican War was brought about. The management was about the same in each case. And the object of the war in each case was the same. Primarily, it was in one case to extend slavery, and in the other to establish serfdom. But the ultimate object in each case was to make money out of the labor of other men; and, to that end, to govern them and their country as we pleased.

He said that he had given his views of slavery and war briefly, in another place, but he would avail himself of this occasion to give them more fully, for the times, he thought, demanded it.

He concurred entirely with Mr. Clay in the opinion that nothing but "dire necessity" would justify a nation in making war. It might seem strange to some that, as he had served in two wars, he should be so much opposed to what seemed to be his own profession; and he thought, perhaps, that the present occasion would justify him in giving some of the reasons for his opposition.

His natural dislike to war was very much developed and strengthened by a sermon upon that subject which he heard when he was a young man. It was very much increased by reading history; and his own experience had made it so odious to him that he would do anything that was right to avoid it.

The sermon referred to was a remarkable effort, and made such an impression upon him that he still remembered a considerable part of it. The text was a verse in Isaiah, which he had often heard quoted, and which he had sometimes read:



“4. And He shall judge among the nations, and shall rebuke many people: and they shall beat their swords into plowshares and their spears into pruning-hooks; nation shall not lift up sword against nation, neither shall they learn war any more.”

In explaining this text the preacher first described war, and illustrated it by word-pictures drawn from the siege of Jerusalem by Titus, from the retreat of Napoleon from Moscow, and from the horrible cruelties practiced by the successful party during the civil wars in England.

“I have never,” the General said, “heard anything equal to the description this preacher gave of the siege and destruction of Jerusalem. Titus was naturally cruel, though he afterwards became apparently humane, from policy. The history of that siege, as some historian has truly said, is a story of ‘incredible horrors.’ It is too dreadful to be more than alluded to here: famine, fire, pestilence, murder, unnatural and vile brutality before the city was taken, and the giving of it up to slaughter and destruction by an inhuman soldiery afterwards.

“As this man drew this picture with a master hand, I could almost see the wretched victims of Roman ferocity, and of their own folly, dying of disease and starvation; I could almost hear the cries and groans of helpless mothers and their starving children, making the city of David and Solomon a sardonic mockery of its former pride and glory.

“With the same powerful memory and imagination, this man described the retreat of the great army of Napoleon from Moscow. He painted, almost to the very life, the destruction of hundreds of thousands of men on that fa-

tal retreat. All of them, he said, had a right to life and to the blessings of life; they all perished the miserable victims of the towering ambition of a man of transcendent genius, but whose heart was as hard as the nether millstone.

"In like manner he depicted the cruelties inflicted by the successful party in the many civil wars of England, occurring from time to time during the long period of nearly a thousand years. He said and proved, from English histories, that for hundreds of years the tender mercies of our English ancestors to their enemies of their own race and country was cruelty. As he described these enormities I seemed to "hear the cries of vengeance and the shrieks of torture." And I wondered then, and wonder now, how such things could be done, so continuously, in a professedly civilized and Christian nation. To me it is incomprehensible.

"Before closing his sermon, the preacher stated that there were two forces in our country which, properly directed and exercised, could, in a few years, render an unjust or unnecessary war on the part of the United States impossible. Those forces were the influence of women and the influence of the clergy. And it was peculiarly their province and duty and interest to use every effort to put an end to this greatest scourge of mankind.

"Throughout the entire history of our race women had been subject to outrage from the demon of war. They had been, and still are, liable to lose their husbands, fathers, brothers, sons, and near and dear friends, killed in battle or by disease; to have their homes ruined, their property destroyed; to be reduced to poverty, want, and misery. It is their duty to teach their children the true nature and char-

acter of war, and never to have anything to do with it unless forced by stern necessity. It is their duty to use all their influence, everywhere, against it, and to teach that military glory is a delusion and a snare.

“As to the clergy, there is nothing in which they are so derelict as in this. It is as much their duty to preach against war as against robbery and murder, for war is robbery and murder combined.

“There is no necessity for the United States having any more wars. It can get all that it is entitled to without. We had a war with Mexico lately, not because it was necessary, but because we wanted and sought war and did not want and seek peace. It is a very unfortunate thing to be obliged to take the life of a man in a just cause; but to shed the blood of thousands in an unjust war is a fearful crime. And yet, a majority of the preachers of this country, either tacitly or openly, encourage such crimes. Some do their duty and preach openly and boldly against it, but their name is not legion.

“The preacher said, in conclusion, that he did not see how any rational being could be a true Christian and believe in war. To say that such a thing is possible seemed to him like saying that the same body could fill two entirely different spaces at the same time.

“We hear and read of the way of life and the way of death, and the road to ruin and the road to Heaven. The broadest and most comprehensive road to ruin, individual and national, is war. There ought to be hung on high an enormous guide-board, with the inscription in characters of

living light: 'War—this is the way to Hell, going down to the chambers of Death.'

"Running in the opposite direction is the road to Heaven. It is not so broad, but it is lighted by the presence of the Prince of Peace and cheered by the voice of the God of love; a voice sweeter to the ear than all the songs of the sirens of war.

" 'It speaks of peace, it speaks of love,  
It speaks as angels speak above;  
For, oh, it is a father's voice,  
That bids a trembling world rejoice.' "

Continuing, General Grant said that he had endeavored to reproduce, from memory and notes taken at the time, some points of the discourse which had contributed so much to the formation of his opinion of the folly and wickedness of war; but the discourse was a lengthy one, and he must omit the greater part of it. His subsequent study of history and his experience in two wars confirmed the opinions then formed.

He was not much of a theologian himself, but if, as the preacher had quoted, all the nations that forget God are to be cast into hell, the nation that makes unrighteous wars will surely not escape. In the light of history as well as of revelation, such wars put the guilty nation that makes them on the direct road to moral, financial, and political destruction. On the other hand, "the way of peace" is the true road to the heaven of nations.

The preacher was right in his estimation of the enormous responsibility of the clergy and the women of our country in this matter of war. If they had done their duty

since the Rebellion, there would have been no Philippine War. If they will do it in the future, we will have no more such wars to offend the Deity and to disgrace our country.

In closing his speech, the General said that he went into the War of the Rebellion voluntarily, but that was a necessary war for the salvation of our country. But it was a fearful lesson, and should teach us the necessity of avoiding wars in the future. It grew out of the Mexican War and was the penalty we paid for the wrongs which preceded, accompanied, and followed that war. The Philippine War, though worse than the Mexican, had, as already stated, a similar origin. If it is continued to the end and the objects of its authors are attained, we cannot hope to escape a similar punishment.

Since the sermon which he had cited was preached, our country, in conquering the Rebellion, has exhibited to all the nations such vast resources and such overwhelming power that none of them, unless governed by madmen, will ever give us just cause for war. If without such cause we make war against any of them, as in the present case, it is murder, and the blood we shed, like the blood of Abel, will cry to heaven against us.

#### SPEECH OF MR. JEFFERSON.

"I have never been in the habit of public speaking," said Mr. Jefferson, "and only arise now to correct two mistakes into which some of the advocates of the President have fallen.

"They have represented that the Declaration of Independence was made only for a special occasion; that it had no general application; was obsolete, and could not properly be quoted against the war the President had made, and was carrying on, to force the Filipinos to submit to the military power of the United States. This was a mistake. That Declaration, it is true, had its origin in the contest between Great Britain and her thirteen North American colonies in 1776; but it was intended to declare, and did declare, the right of all mankind, of every age and of every nation and of every color, to life, liberty, and the pursuit of happiness; that the object of governments was to secure these rights, and that the 'consent of the governed' was a condition precedent to the rightful authority of any government.

"According to the Declaration, as it was intended and always understood by the men who made it and by the people for whom it was made, the humblest, poorest, and most obscure man in any nation is as much entitled to the rights enumerated in it as any king, emperor, or president. These rights can only be forfeited by crime. There is not, as has been contended, any 'principle of international law' under which the Filipinos can be deprived of their rights. The teachings of that law and of the Declaration are substantially the same upon the rights of 'all men.' Both require 'the consent of the governed' to the 'just powers' of governments. And if they did not, the Declaration would still be the supreme law to the government and people of the United States, and binding upon them in their dealings with other governments and peoples.



“The other mistake I wish to notice is, that ‘the example of the Louisiana purchase is a justification of the purchase of the Filipinos and their subsequent treatment by the President and Congress.’ There is no analogy between the cases. If the Louisiana Territory at the time of its purchase had contained eight or ten million inhabitants; if they had been fighting many years for freedom, independence, and self-government, and part of that time as allies of the United States; if, at the time of the purchase, they had nearly achieved their independence; if they never consented to the purchase, refused to acquiesce in it, and declared their determination to be free and independent and to govern themselves, there would be considerable similarity between the cases. But none of these conditions were present in that case, and it fails entirely as a precedent for the other. It is a clear case of abandonment, in the face of the nations of the world, of the principles upon which our government was founded, and of an unrighteous claim supported by a murderous war.

“Not a man who signed the Declaration or the Constitution would have tolerated such a claim as that. The government and the people would have scouted it as a disgrace and shame. I tremble for my country when I remember that God is just and that my countrymen are struggling to take by a bloody war from millions of people those inalienable rights with which He has endowed all His children.

“Congress should promptly concede the independence of the Filipinos, and the longer that act of justice is delayed the worse it will be for our country. In a paroxysm

of rapacity worthy of the Anglo-Saxon, we have done a great wrong, been guilty of great oppression, and forfeited the confidence of mankind. We can only regain that confidence by a return to the paths of justice and freedom.

“Our army should be recalled and at least three-fourths of it disbanded. We need no large standing armies for any purpose. Such armies eat out the substance of the people, and are often used to enslave them.

“As to the trial which has led to this meeting and caused this discussion, I wish to say that, in common with all the members of the jury, I very much regretted to be obliged to find a verdict of guilty, but that, under the evidence and the instructions of the Court, no other verdict was possible.”

#### ABRAHAM LINCOLN'S SPEECH.

Mr. Lincoln said: “Although nearly every allegation of fact in this case has been contested, there are some things about which there is no dispute, and those are, that twenty thousand Filipinos and two thousand Americans came to their deaths in the Philippine Islands since the close of the war with Spain, and that the war against them was begun and is being carried on by the defendant as Commander-in-chief of the Army and Navy of the United States. Nor has there been, nor can there be, much contest over the proposition that, if the war so inaugurated and waged by the President was and is unjust, he is guilty as charged in the indictment.



"The great contention and principal defense has been, and still is, that the war is just and that it was the right and duty of the President to wage it till those people submitted to the authority of the United States and accepted whatever government the President set up over them temporarily, and afterwards the permanent government established by Congress. That by the treaty of peace with Spain, the United States acquired the sovereignty of the entire Philippine Archipelago, and that it was the duty of all the inhabitants of those islands to submit to its authority; that, on the contrary, they resisted it, claimed that they were, and of right ought to be, free and independent, and that they became rebels whom it was necessary to subdue, and that the deaths that followed were justifiable and right.

"This contention by implication denies the self-evident truths of the Declaration of Independence, 'that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness. That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends it is the right of the people to alter or abolish it and to institute a new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness; that when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to

throw off such government and to provide new guards for their future security.'

"Spain, by a long train of abuses, had forfeited any right she may have had to hold, possess, and govern the Philippine Islands, or any part of them, and those people had rightfully thrown off her government and set up one of their own before the ratification of her treaty with the United States. According to the Declaration, this ended all the rights Spain ever had in the Philippine Archipelago, and in that respect she conveyed nothing and the United States acquired nothing by the treaty. So far as the Filipinos were concerned, it was absolutely null and void.

"I think that this is the natural and inevitable conclusion which follows the admission of the truths of the Declaration.

"The real question in this case is whether we shall sustain the Declaration or trample it under foot. In my opinion, the salvation of the country depends upon sustaining it. To abandon it is to abandon the only hope for the preservation of our free institutions. Whenever we deny the right of any people to freedom and independence and self-government, and force upon them a government against their consent, we forfeit the right to those blessings ourselves. Sooner or later that forfeiture will be enforced against us, as sure as there is a just God who rules in the armies of Heaven and among the habitations of men.

"Our fathers labored and fought and suffered through a seven-years war to make good that Declaration. They endured hunger, cold, sickness, wounds, and death; they

marched in the winter over the frozen ground to find the enemy, and their bloody foot-prints upon the snow told of their naked feet. That Declaration was baptised in the blood of the Revolution and dedicated forever to the freedom, not of any one people, but of the human race. Its authors meant to set up a standard maxim for free society which should be familiar to all and revered by all, constantly looked to, constantly labored for, and, even though never perfectly attained, constantly approximated, and thereby constantly spreading and diffusing its influence, and augmenting the happiness and value of life to all people of all colors everywhere.

“The assertion that ‘all men are created equal’ was of no practical use in effecting our separation from Great Britain, and it was placed in the Declaration not for that, but for future use. Its authors meant it to be as, thank God! it is now proving itself, a stumbling-block to all those who, in after-times, might seek to turn a free people back into the hateful paths of despotism. They knew the proneness of prosperity to breed tyrants, and they meant that when such should reappear in this fair land and commence their vocation they should find left for them at least one hard nut to crack.

“It has been said in the argument of this case that by the war to put down the Rebellion we forced upon the Southern States a government to which they did not consent. To this I answer that they had consented to it long before, had lived under it many years, had participated in it, had enjoyed its protection and benefits, and had furnished many of its presidents.

“Several of those assisted in making the Declaration of Independence, in forming the Constitution, and in setting the government in motion. Jefferson was the author of the Declaration and Madison has been called the ‘father of the Constitution.’

“Many of the rebellious States had been consenting to and participating in the government of the United States for nearly half a century. They seceded because they wished to repudiate their own work and to found a new empire whose chief corner-stone should be slavery—exactly the opposite principle to that of the Declaration.

“No analogy can be found between this case and that of the Filipinos. It is not easy to understand how reasonable men can seriously attempt such an argument as that. With all the facts against them, their logic seems to indicate some kind of hallucination by which things seem exactly the opposite of what they really are. Such reasoners seem to me to be turned upside down, and to be standing on their heads with their heels dangling in the air.

“But it is attempted to plow round the Declaration of Independence by saying that the very object of conquering the Filipinos is to give them the blessings of free government. It is astonishing that men should deceive themselves or undertake to deceive others by such a fallacy as that. Freedom and force are opposites. The very fact that any government is forced upon a people makes it, as to them, a despotism. In the very nature of things, no government can be free to which the people to be governed do not freely and voluntarily consent. This attempt to get rid of the Declara-

tion is absurd on its face, and the defense that the 'killing was done in a state of war' is no defense at all.

"This Philippine War is in some respects like the Mexican War. Both were unjustly and unconstitutionally made by the President, and both, at first, seemed to be popular. In the Mexican War the attempt was made to render those who were opposed to the action of the President unpopular and odious by ridicule and denunciation, and by calling them traitors, etc., etc.

"The bitterness of the advocates of that war was extreme. Governor Reynolds, who was a member of the Illinois Legislature during the war, said in the House of Representatives that he 'almost had the hydrophobia upon that subject,' and there were many other members nearly as rabid as he. They were, like Saul with the Christians, 'exceedingly mad' against the opponents of the war, and they did not confine their abuse to politicians. The Rev. Albert Hale, pastor of the Second Presbyterian Church of Springfield, Illinois, as chaplain of the House of Representatives, appealed to the Almighty against the war and in favor of peace. For this he was severely criticised by some of the fire-eating members; but Judge Stephen T. Logan, who at that time stood at the head of the bar of that State, defended Mr. Hale and held that it was not only the right, but the duty of the chaplain, as a professed follower of the Prince of Peace, to use the influence of his profession and position in favor of peace. The rabid war-hounds were not satisfied by his argument, but they were kept at bay and Mr. Hale was sustained.

"But the pulpit of the United States was far more out-

spoken against war at that time than at present. This is the worst sign of the times. The influence of Christianity seems to be on the wane. Originally one of its principal objects was to put an end to war, but now a very large proportion of its professors and preachers are in favor of war, and, for reasons, directly opposed to the teachings of Christ.

“As a member of Congress from the Springfield district in Illinois, I felt it my duty to make a speech against the actions of President Polk in bringing on that war. For this I was denounced and ridiculed and made so unpopular—while the glamour of our victories over the Mexicans blinded the people—that my own county of Sangamon was opposed to my renomination. There were but two delegates in the congressional convention—Briggs of Tazewell, and Parks of Logan—who were in my favor. All the delegates from Sangamon (including my law partner, Billy Herndon) were against me, and my name was not brought before the convention.

“Mr. Clay also, for the great speech he made against the war at Lexington in 1847, was at first abused and denounced. It was not long, however, till the sky cleared so that the people could see and understand his arguments and appreciate his patriotism, and the next year he was elected United States senator by an almost unanimous vote of the Legislature of Kentucky. It is hardly necessary for me to refer to my own history after the false, glaring light of the Mexican War had passed away. I will only say that few men have been more bitterly denounced, and perhaps no man was ever more triumphantly vindicated.

“The judgments of the Lord are true and righteous alto-



gether. Our country was terribly punished by the Civil War, not only for sustaining slavery so long, but also for the Mexican War, which was made and waged principally for the purpose of extending and perpetuating it. There is reason to fear a still greater punishment if we continue this Philippine War till we conquer and enslave that unhappy people.

“But it is said that to abandon the attempt to conquer them now would make our country ridiculous. This reminds me of a story I once heard or read. In the time of that great Anglo-Norman king, Henry the Second, it was the fashion in London for the sons of considerable citizens to form themselves into bands and to break into rich houses and plunder them and rob and murder the inmates. A band of these worthies once broke into a rich house which they expected to make an easy prey. On the contrary, they met with such fierce resistance that they stopped to consult whether to advance or recede. The captain took the ground that if they retired, all London would laugh at them. So they proceeded with their raid till one-half of them were killed and the rest driven into the street, wounded, crippled, and conquered, to the great joy of all peaceable and law-abiding citizens.

“The moral of this story is that ridicule is a poor argument, and those who are governed by it are apt to do wicked and foolish things.

“It has been clearly intimated by the President and plainly said by some of his supporters that those who are opposed to his Philippine War are disloyal. Those who are in favor of it are constantly called patriots—those who are opposed are frequently called traitors. But those words have



no just and proper application as here intended. True patriotism requires a man to do all he can for his country in a just and ~~un~~necessary war, as the American Revolution, the War of 1812, and the war to preserve the Union in 1861-1865. But patriotism does not require a man to support such wars as the Mexican and the Philippine. Those wars were unjust in themselves and were unconstitutionally made by Presidents Polk and McKinley. Those wars were disgraceful and injurious to the country, and calculated to bring upon the nation the punishment which, in the order of Providence, always follows great national crimes. Patriotism requires all good citizens to oppose all wars which, in their ultimate effects and consequences, will injure their country. If there is any treason in the matter, it is in those who make and encourage such wars, and thus call down upon their country the wrath and curse of God.

“But it is said, as a reason for the conquest of the Philippine Islands, that we need them in our business; that they would be a benefit to our cotton-growers and various other interests, and that their trade and wealth would furnish occupation and support to many of our speculators, traders, and people generally.

“That was the argument used by the robber to Alexander the Great. He was brought before the mighty conqueror for execution, on account of a great haul he and his band had made from some wealthy Persians who were traveling to Babylon. Alexander, when not drunk or in a passion, had considerable sense of justice, and consented to hear the man before ordering him to execution. The robber told the king that he and his band had families to sup-

port and that they must live, and could make more by robbery than any other profession or pursuit. That he, Alexander, was in the same business—the only difference being that he confined himself strictly to the retail trade, while the king carried on the largest and most extensive system of wholesale robbery that had ever existed. That, while it was true that Alexander devoted much of the proceeds of his conquests to the building of cities and other improvements, it was also true that he and his band gave all they made, except a comfortable living, to the poor.

“This speech satisfied the king that he was in the same business with the robber, and he ordered his attendants to take off his chains and treat him well.

“Alexander was right. All robbers and all conquerors who carry on war for territory or trade or tribute are morally equal. Their trade is the same their character is the same, and their treatment, whether of reward or punishment, should be the same.

“I have been surprised to see many of those who admit that this war was originally ‘a blunder and an outrage’ assume that, by the ratification of the treaty with Spain, the Philippine Archipelago became annexed to the United States; that we thus acquired sovereignty over them; and that, by insisting upon their right to freedom and independence and refusing to submit to our government, the inhabitants of those islands became rebels.

“At the time the Congress of the United States declared war against Spain it declared also that the Cubans were, and of right ought to be, free and independent. The inhabitants of the island of Cuba and the inhabitants of the Philip-

pine Islands at the time this declaration was made had been fighting Spain for years to obtain freedom and independence. The Filipinos were far more numerous than the Cubans; had more nearly acquired their independence, and, according to Admiral Dewey, were more 'capable of self-government.' Certainly they had as good a right to freedom and independence as the Cubans. How could a treaty between the United States and Spain, to which they were not parties and to which they did not consent, abrogate that right? The declaration of Congress, the Declaration of Independence, and the law of nations are all against such an assumption, and it seems to me downright impudence to make it. The treaty conveyed no more title to the Philippine Islands than a worthless quit-claim deed.

"With the failure of this assumption, its corollary, that 'the war must go on till the rebellion, as it is called, is put down,' also falls to the ground. To continue the war only aggravates the 'blunder' and 'outrage' of beginning it. No strength is given to the fallacy I am exposing by calling the Filipinos rebels. People cannot rebel where they do not owe allegiance, and by no law, human or divine, did these people ever owe allegiance to the United States.

"But it is said as a reason for continuing this war, that 'the American flag must never be hauled down after it has once been set up in any country.' This is mere clap-trap. The flag should be kept wherever it properly belongs, and nowhere else. If, by accident or mistake or wrong, it is planted where it has no right to be, it should be removed. The United States never having acquired any rightful sovereignty over the Philippine Islands, its flag as an em-

blem of sovereignty never had any business there, and Congress should order its removal. This, so far from being derogatory to the United States, would have a tendency to restore the confidence of the world in our justice and in our fidelity to the rights of men.

“The flag of our country has been desecrated in this war by being used to crush a people **who** were contending for freedom, independence, and self-government, and the sooner that desecration ceases, the better it will be for all concerned.

“It is further objected against granting independence and self-government to the Filipinos, that if we do this, Russia, Germany, or Great Britain will gobble them up. This objection is purely imaginary. Those nations have their hands full elsewhere and are not likely to interfere in this quarter. They have neither the soldiers nor the money to spare for that speculation. If they should manifest symptoms of that kind, a plain and positive hint from the United States would soon settle any of them. But, however that may be, this objection is, at best, no better than that of the thief who says, ‘If I don’t take that man’s watch, some other thief will, and so I will take it just to save it.’ It is remarkable how all thieves and robbers, whether individual or national, use the same arguments to reason money or property out of other people’s pockets into their own.

“The claim of the United States to conquer, hold, and govern the Philippine Islands rests upon the theory that we are vastly superior to the people of those islands, and therefore have a right to subdue them and to provide such government for them as we think is suitable. I am very sorry

that there is so little foundation for this theory. Experience has proved that we do not manage very well the people within our own proper limits. We have taken very poor care of the Indians and negroes in several of the States of this Union. Since we began the war against Spain 'in the interest of humanity,' the Indians have been robbed in several of the States—in Minnesota alone, according to high authority, of at least \$300,000 in a few years. It is notorious that in some of the States negroes have been tortured, then murdered, and their bodies mutilated after death. In some of the States we have had bloody riots, and upon such an extensive scale as to threaten anarchy and widespread civil war.

"Since our occupation of Manila we have very greatly increased the number of its saloons and given 'the heathen Chinese' largely increased opportunities to exercise his peculiar 'ways that are dark and tricks that are vain' upon our soldiers and others. In other respects, perhaps, we have been equally 'short on morality' since our advent among the Filipinos.

"It is no pleasure for me to refer to our shortcomings either at home or abroad. But it is necessary in order to show how baseless are our claims in this war and to set the truth clearly before the people. If we ever had a 'mission,' as some claim, to civilize barbarians and extend the blessings of liberty throughout the world, we threw away our credentials when we made war upon Mexico. Our condition at home and abroad shows that we have no right to any such 'mission.' We must take the beams out of our own eyes be-

fore we can see how to take the motes out of the eyes of other nations and peoples.

“I have said that at present it seemed to me that Christianity was a failure. The Good Book tells us of a time when ‘evil men and seducers shall wax worse and worse, deceiving and being deceived.’ That time appears to be upon us now. The government of the United States has fallen into the hands of evil men and seducers, who deceive the people and are themselves deceived. They are the agents, tools, and puppets of a vast money power which made and controls them. There is a passage in the Apostle James which is full of meaning and is peculiarly applicable to the rich men who have been so long exploiting the government and people of the United States. It should be pondered well by them and by every man who loves his country.

“1. Go to now, ye rich men, weep and howl for your miseries that shall come upon you.

“2. Your riches are corrupted, and your garments are moth-eaten.

“3. Your gold and silver is cankered; and the rust of them shall be a witness against you, and shall eat your flesh as it were fire. Ye have heaped treasure together for the last days.

“4. Behold the hire of the laborers who have reaped down your fields, which is of you kept back by fraud, crieth: and the cries of them which have reaped are entered into the ears of the Lord of Sabaoth.

“5. Ye have lived in pleasure on the earth, and been wanton; ye have nourished your hearts, as in a day of slaughter.



“6. Ye have condemned and killed the just; and he doth not resist you.’

“No words of mine can add anything to the force of the lesson here given us by the Apostle. It is for rich and poor, oppressor and oppressed, government and people. If the rich men, speculators and politicians, who made or caused to be made this Philippine War, would heed it, it might be for the lengthening of their tranquillity.

“There is one view of this Philippine business which to me is very humiliating, and that is the attitude in which it places our country towards the subject of slavery.

“The civilized world made the slave trade felony seventy years ago. The United States abolished negro slavery thirty-five years ago. Now, the present administration says it has purchased the Philippine Islands and owns them and has the right to govern them as it chooses; that the inhabitants of those islands have no right to govern themselves, but must submit, unconditionally, to the authority of their purchasers. That is to say, the United States has revived the slave trade and purchased ten million slaves. It is no answer to say that the transaction between Spain and the United States merely made the Filipinos serfs, for serfdom is slavery. It differs in some respects from personal vassalage, but it is slavery none the less.

“This condition was forced upon those people by the United States after they had acted as allies at our request; had rendered valuable service to our forces in the taking of Manila, and after General Otis, the officer in command of the United States forces in Luzon, had issued a proclamation, in which he said: ‘I will assure the people of



the Philippine Islands the full measure of individual rights and liberties which is the heritage of a free people.'

"General Otis did this, knowing that his statement was false, and having at the time in his possession a proclamation of the President claiming 'sovereignty' over the Islands and directing their 'immediate occupation.' This was done to deceive the Filipinos. The Administration sanctioned this act of General Otis by retaining him in command, and thus became a party to the fraud. I know of no greater act of dishonor and perfidy in history than this. It is worse than that practiced by Hengist and Horsa upon the ancient Britons and deserves universal execration."

Mr. Lincoln rarely indulged in invective or denunciation. I was familiar with his speaking, both at the bar and the forum, for nearly twenty years. Twice only in that time did I hear him abandon his usual method of fair but earnest argument and illustration. But now, as the fraud of Otis and the revival of the slave trade and the establishment of a slave empire in the Pacific by the United States met in his mind, he seemed to lose his wonderful patience and self-control and broke out in a denunciation of the authors of these wrongs that almost lifted his hearers from their seats. His defense and eulogy of the Declaration of Independence was magnificent, far surpassing anything he had ever said before. And his invective against those who at the same time made war upon that Declaration and upon the Filipinos and the fair fame of their country among the nations of the earth was terrible in its directness, bitterness, and force. He declared:

"Those men are traitors to liberty, are leading their

countrymen into the hateful paths of despotism, and are unfit to be the rulers of a free people. No man is fit to be a ruler of a free people who does not believe in and advocate freedom and self-government for all nations and peoples in the world. These men are the agents and promoters of slavery and despotism, and the enemies, not only of their own country, but of the human race.

"It is in vain for them to endeavor to cover up their iniquities by professing a wish to extend freedom and civilization and religion to the Philippine Islands. Their freedom is slavery; their civilization is barbarism; their religion is hypocrisy. That hypocrisy is admitted by one of their own ablest writers in an article from which I take the following:

"'All this gabble about civilization and uplifting the benighted barbarians of Cuba and Luzon is mere sound and fury, signifying nothing. Foolishly or wisely, we want these newly acquired territories, not for any missionary or altruistic purposes, but for the trade, the commerce, the power, and the money there is in them. Why beat about the bush and promise all sorts of things? Why not be honest?"

"The Philippine War has led to a greater development of religious and political hypocrisy than was ever before exhibited in this country.

"These men endeavor to cover up their iniquities, their treason to liberty and their promotion of slavery, by claiming that the Spanish and Philippine wars added greatly to the prestige of the United States and made it one of the greatest powers in the world. But the United States had been one of the leading powers of the world long before. It was the war to put down the Rebellion and preserve the

Union that gave our country its commanding position as one of the leading and most influential nations in the world. That was a war of great armies and great generals on both sides, of great battles and great victories and great defeats, compared with which the Spanish and Philippine wars were child's play—a mere puppet-show.

“This everlasting boasting on account of our victories over the Spaniards and Filipinos is a small business for a great nation. It reminds me of a gigantic policeman I once knew in Springfield, Illinois. He picked a quarrel with a small newsboy about something that was none of his business, and whipped the little fellow half to death. To justify himself, he swore every day in the week that his honor required that he should whip the boy. And all the rest of his life he boasted of what a wonderful victory he had achieved.

“If we are ever so unfortunate as to be forced into war with one of the ‘Great Powers’ and are so fortunate as to be victorious in that war, we will have something to boast of. At present we had better keep quiet.

“The Philippine War has lessened the patriotism and increased the selfishness of the American people. It has reduced the courage and increased the immorality of American politicians. It has caused the nation to take a long step on the downward road to national corruption, degeneracy, and ultimate ruin.

“Nothing can save us from the fate that always follows wars of aggression and conquest and the consequent national demoralization and decay, but reformation at home and doing justice abroad to every nation and to every people.

"It is no pleasure to me to say these things. But faithful are the wounds of a friend; and he is the best friend of his country, who, standing as a sentinel upon the watch-tower of liberty, warns his countrymen of the approach of danger and shows them the way of escape."

Mr. Lincoln spoke an hour and a half, his usual time in discussing great questions, though occasionally he far exceeded that time. He became more and more earnest, and, if possible, engrossed and absorbed the attention of his audience more and more the longer he spoke. I never before so fully realized the statement of Webster, that "when public bodies are to be addressed on momentous occasions, true eloquence is in the man and in the occasion, and clearness and force are the qualities that produce conviction." In defending the Declaration of Independence from the politicians, speculators, boodlers, and cranks who are fighting it, and in returning their blows, he reminded me of the hurricane, which in its resistless force bears down everything before it.

He described with great clearness and force how the Creator had endowed—i. e., permanently invested—the Filipinos, in common with all men, with the inalienable right to life, liberty, the pursuit of happiness, and self-government.

He then drew a picture of an army of Liliputians, the right wing of which was led by President McKinley (pushed on by Mark Hanna) and the left by President Schurman. One wing was trying to take the Declaration by direct assault and the other to undermine it. He called this a "ridiculous attempt by a band of pigmies to defeat a magnificent endowment of the Almighty."

He then pictured a glorious being in the distance gazing from his home in the clouds upon the scene and smiling upon their puny efforts. Then raising himself to his full height, he pointed to the skies and cried out in a voice of exultation, "He that sitteth in the heavens shall laugh: the Lord shall have them in derision."

While he was yet speaking, the enormous rock which represented the Declaration, and which seemed to be embedded in the foundations of the earth, was moved by some invisible force. In a moment it overwhelmed its miserable assailants and buried them forever from human sight.

The effect of this amazing panorama so suddenly created by the magic wand of the Great Vindicator of the Declaration was so great as to require an immediate adjournment of the meeting. On motion of Mr. Madison, all further discussion was postponed till the next day at 10 o'clock a. m.

#### LAFAYETTE'S SPEECH.

Lafayette said that he had been a soldier from his youth. In his boyhood he had been taught that France was the chosen home of chivalry and that the road to honor and glory was war. So he joined the Guards; and, at the age of nineteen became a captain of dragoons and was proud of his skill in all military exercises.

Fortunately, the first war he became engaged in was the American Revolution, a war for liberty and self-govern-

ment, and he never had the least inclination to favor an unjust war afterwards. The part he took in the Revolution and subsequent wars in his own country was always in favor of liberty, justice, and good government. He had, in his experience in the old and new worlds, throughout a long life, learned a great deal about war. He had been in many battles and was once a prisoner for five years in unwholesome dungeons.

The false teachings of his youth had yielded to the true lessons of experience. The bright visions of military glory in which he had indulged in early life had been dispelled by the stern reality of the battle-field, the siege, and the prison, with their accompaniments of wounds, mutilation, disease, starvation, misery, and death to all ages, both sexes, and the innocent and guilty alike. Upon this subject he had learned to think and speak the truth. "The horrors of war" was a true and correct expression; and there was little room for charity for any ruler or any government, of any name or nature, which made, or caused to be made, any war which was not absolutely necessary to the national existence or to the preservation of its freedom.

He said that he had adopted the views of a great philosophical writer, that "war originates in the selfishness of the human heart, and is generally caused by ambition, avarice, or revenge." The great exemplars of the spirit of war and of its destructiveness were Alexander, Cæsar, and Napoleon. They killed more men, made more widows and orphans, and created more misery in the world than any other three destroyers of the race. And at the bottom of all the wars they



waged was that selfish and deadly ambition which petrifies the human heart. He said:

“France has been afflicted in this way by the selfishness of her rulers throughout almost her entire history as a nation. Such kings as Francis the First, Louis the Fourteenth, and many others of the same character before the Revolution, and the two Bonapartes after the Revolution, were the worst enemies of their country and of mankind and exhausted in their wicked wars the wealth and resources of France; sometimes decimated her people and filled half her homes with sorrow and mourning. The war made by Louis Napoleon on the German Empire, less than thirty years ago, was so wicked and foolish in its origin and so ruinous and humiliating to France in its result that the only way to account for it is upon the theory that its author was under the influence of an uncontrollable infatuation. Nearly all the kings of France who had any ability were warriors; and only one of them in nine hundred years was at once a great king and a good man. Louis the Ninth, called in history St. Louis, occupies alone this proud preëminence.

“How shall France attain the position to which she is entitled among the nations? Not by war, for war has been the incubus which has retarded her progress; but by peace and the works of peace. By devotion to science, to literature, to agriculture, to manufactures, to all the arts of peace, France may and will soon take her natural place among the leading nations of the world. She is already taking a long step in that direction in her great Exposition. If she will take for her motto in the future, “Peace is the true glory of nations,” and steadily adhere to it, she will, at



no distant day, equal any nation in Europe in all that makes a people truly great, prosperous, and happy, and her children, scattered all over the earth, will feel a patriotic and exultant pride in the true and lasting glory of their native land.

“As to the Philippine War, it should be regarded as another instance of the vicious influence which selfish ambition so often exerted over the rulers of the world. I cannot conceive of the founders of the American Republic engaging in such a war as that. They would have considered it treason to liberty and to the Declaration of Independence.

“On the 4th of July, 1776, when John Adams was advocating the Declaration of Independence from Great Britain, he said: ‘We shall make this a glorious, an immortal day. When we are in our graves, our children will honor it.’ He said much more to the same effect, and all that he predicted came to pass. In 1824, forty-eight years after the Declaration was made, I visited the United States and remained more than a year, traveling all over the country as the guest of the nation, and never in the history of this world was such an ovation given to any mortal man. The whole people rose up as one man to welcome me. Everywhere it was ‘Welcome! Welcome!! Welcome!!! Lafayette!’

“I do not recall these scenes from vanity, but to show the devotion of the American people to Liberty, for it was Liberty they were honoring in their welcome to me. It is impossible for me to express my gratification and pride at hearing my name and Liberty repeated together all over the United States. It was as the friend of Liberty that the President received me. It was as the friend of Liberty that

the great orator of the West, Mr. Clay, as Speaker of the House of Representatives, welcomed me with his wonderful eloquence. And that welcome was repeated all over the land by old and young—by the survivors of the Revolutionary War and their children, and their children's children; from the venerable soldier, tottering on the brink of the grave, to the infant in the cradle.

“These honors, which were far greater than I deserved, were bestowed upon me by the rulers and people of the United States because they considered that I had been the life-long friend, advocate, and defender of liberty, independence, and self-government in the Old World and the New.

“I was invited to assist in laying the corner-stone of Bunker Hill Monument on the 17th day of June, 1825. I heard the oration pronounced on that occasion by the great orator of New England, Mr. Webster. I heard him state the objects of the erection of that monument. I heard him say it was ‘to show our own deep sense of the value and importance of the achievements of our ancestors; and, by presenting this work of gratitude to the eye, to keep alive similar sentiments and to foster a constant regard for the principles of the Revolution.’ \* \* \* \* \* ‘We consecrate our work to the spirit of national independence, and we wish that the light of peace may rest upon it forever.’ \* \* \* \* \* ‘We wish that labor may look up here and be proud in the midst of its toil.’ \* \* \* \* \* ‘Let it rise—let it rise till it meets the sun in his coming; let the earliest light of the morning gild it and parting day linger and play upon its summit.’ I never can forget the intense earnestness of the speaker as he turned to me and said: ‘Sir, we are as-

sembled to commemorate the establishment of great public principles of liberty and to do honor to the distinguished dead.' Nor can I ever forget the closing sentence of the great orator and his invocation that the United States might become 'itself a vast and splendid monument, not of oppression and terror, but of wisdom, of peace, and of liberty, upon which the world may gaze with admiration forever!'

"A great change has come over the rulers of this country since that day. They have abandoned the doctrines of liberty and independence proclaimed by the Declaration, and repeated by Webster, and are doing their utmost to crush them in the Philippines. The President made war upon them for that very purpose, and to force upon them a government they do not want, and is making of their country, not 'a monument of wisdom, of peace, and of liberty,' but 'a monument of oppression and terror.'

"The relations between the Filipinos and the Americans at the close of the war with Spain were much the same as those between France and the Americans at the close of the Revolutionary War. France had as much right to purchase the Colonies from Great Britain as the United States had to purchase the Philippines from Spain. But if she had done so, I should have been tempted to renounce my country, for I would have regarded the attempt as not only unjust, but dastardly. The Filipinos had been fighting for liberty and independence for many years. For their allies to turn against them when that independence was nearly an accomplished fact, and destroy it by claiming the right, under a purchase, to sovereignty over them with-

out their consent and to force them to abandon their liberty and independence and accept a new and foreign government against their determined opposition, made a very strong case against the author of that war. In my opinion, the verdict of the jury could not have been different under the evidence and instructions."

#### SPEECH OF MR. MADISON.

Mr. Madison said: "The power to declare war was, by the Constitution, conferred upon Congress. Notwithstanding this, two of our Presidents had made war without the authority of Congress. The Mexican War was made by President Polk and the Philippine War was made by President McKinley. Both cases were dangerous usurpations of power, which it is to be hoped will never be repeated.

"It was no justification of the President in this case to say that it was his right and duty to put down the rebellion of the Filipinos, for there was no rebellion. As already shown, a people cannot rebel against an authority to which they are not subject, nor could they be subject to an authority to whose sovereignty they had never consented. Rebellion, in the proper sense of that term, presupposes the duty of allegiance; and in this case there was no such duty. Sovereignty of one people over another cannot be acquired in any way without the consent of both parties, except by conquest in a just war.

"In the beginning this was a presidential war. Its sub-

sequent ratification by Congress made it national, but did not make it constitutional. The grant of the war power to Congress by the Constitution is general, but it is not unlimited. It is limited by the objects for which the Constitution was formed. These are 'to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.'

"None of these objects are promoted by the Philippine War. It is antagonistic to most of them, and its continuance is a great abuse of the war power. It is waged directly against the most important right proclaimed in the Declaration—the right of every people to freedom, independence, and self-government.

"It has been insisted in this case that the Philippine Islands belong to the United States by the law of nations; that this country acquired them, in accordance with that law, by treaty with Spain. An examination of some of the leading authorities upon international law, and an application of that law to the evidence in this case, will show that there is no ground for this claim.

"Vattel says: 'The law of nations is the science which teaches the rights subsisting between nations or states and the obligations correspondent to those rights.'

"'Since men are naturally equal, and a perfect equality prevails in their rights and obligations, as equally proceeding from Nature—nations composed of men, and considered as so many free persons living together in a state of nature, are naturally equal and inherit from Nature the same obligations and rights. Power or weakness does not in this re-

spect produce any difference. A dwarf is as much a man as a giant; a small republic is no less a sovereign State than the most powerful kingdom. By a necessary consequence of that equality, whatever is lawful for one nation is equally lawful for any other; and whatever is unjustifiable in the one is equally so in the other.' (Vattel's Law of Nations, Sec. 18.)

"Wheaton says: 'A nation associating itself with the general society of nations, thereby recognizes a law common to all nations by which its international relations are to be regulated. It cannot violate this law without exposing itself to the danger of incurring the enmity of other nations and without exposing to hazard its own existence. The motive which induces each particular nation to observe this law depends upon its persuasion that other nations will observe towards it the same law. The *jus gentium* is founded upon reciprocity of will. It has neither law-giver nor supreme judge, since independent states acknowledge no superior human authority. Its organ and regulator is public opinion: its supreme tribunal is history, which forms at once the rampart of justice and the Nemesis by which injustice is avenged. Its sanction, or the obligation of all men to respect it, results from the moral order of the universe which will not suffer nations and individuals to be isolated from each other, but constantly tends to unite the whole family of mankind in one great harmonious society.' (Wheaton's International Law, pp. 16 and 17.)

"The principal in the war, the sovereign in whose name it has been carried on, cannot justly make a peace without including his allies—I mean those who have given him assistance without directly taking part in the war.



“‘But the treaty concluded by the principal is no further obligatory on his allies than as they are willing to accede to it, unless they have given him full power to treat for them.’ (Vattel’s Law of Nations, p. 436.)

“‘Those treaties dictated by a conquering party which have the effect to destroy the national existence of the vanquished state or deprive it of some essential right which is necessary to separate political existence are not obligatory any longer than the society affected thereby chooses to treat them as such.’ (Pomeroy’s International Law, edited by Prof. T. S. Woolsey, p. 348; and see pp. 350, 351, and 352, to the same effect.)

“‘A nation is an aggregate of individuals, and has all the rights of attack and defense that a man in a state of nature would have by natural law. Whatever is right in itself such a one could lawfully do. Whatever is right in itself a nation may lawfully do. There being no parliament or tribunal of nations to agree upon rules of right, we may say in general that the true law of nations, as of an individual person, is the law of God. Certainly both communities and individuals are bound to act justly, mercifully, and reasonably. Morality is incumbent upon both. The law of nations is summarily written in the Ten Commandments.’ (Waples on Proceedings *in Rem*, p. 372.)

“‘Every true sovereignty is in its own nature inalienable. \* \* \* \* \* Let us conclude, then, that as the nation alone has a right to subject itself to a foreign power, the right of really alienating the state can never belong to the sovereign, unless it be expressly given to him by



the whole body of the people.' (Vattel's Law of Nations, pp. 31 and 32.)

"In the case of Samuel A. Worcester vs. State of Georgia, Chief-Justice Marshall, delivering the opinion of the Supreme Court of the United States, says:

"These articles are associated with others recognizing their title to self-government. The very fact of repeated treaties with them recognizes it; and the settled doctrine of the law of nations is that a weaker power does not surrender its independence—its right to self-government—by associating with a stronger, and taking its protection. A weak state, in order to provide for its safety, may place itself under the protection of one more powerful, without stripping itself of the right of government, and ceasing to be a State. Examples of this kind are not wanting in Europe. "Tributary and feudatory states," says Vattel, "do not thereby cease to be sovereign and independent states, so long as self-government and sovereign and independent authority are left in the administration of the state." At the present day, more than one state may be considered as holding its right of self-government under the guarantee and protection of one or more allies.' (6 Peters, p. 560.)

"Chancellor Kent defines the law of nations to be 'that code of public instruction which defines the rights and prescribes the duties of nations, in their intercourse with each other.' (1 Kent's Com., p. 1.)

"'Nations are equal in respect to each other, and entitled to claim equal consideration for their rights, whatever may be their relative dimensions or strength, or however greatly they may differ in government, religion, or manners.'

“‘It is a necessary consequence of this equality, that each nation is entitled to govern itself as it may think proper, and no one nation is entitled to dictate a form of government, or religion, or a course of internal policy, to another.

“‘No State is entitled to take cognizance or notice of the domestic administration of another State or of what passes within it as between the government and its own subjects.  
\* \* \* \* We have several instances within time of memory of unwarrantable and flagrant violations of the independence of nations.’ (Kent’s Com., p. 22.)

“‘In cases where the principal jurists agree, the presumption will be very great in favor of the solidity of their maxims; and no civilized nation that does not arrogantly set all ordinary law and justice at defiance will venture to disregard the uniform sense of the established writers on international law. England and the United States have been equally disposed to acknowledge the authority of the works of jurists writing professedly on public law and the binding force of the general usage and practice of nations, and the still greater respect due to judicial decisions recognizing and enforcing the law of nations.’ (Kent’s Com., p. 18.)

“‘With respect to the cession of places or territories by treaty of peace, though the treaty operates from the making of it, it is a principle of public law that the national character of the place agreed to be surrendered by treaty continues as it was under the character of the ceding country until it be actually transferred. Full sovereignty cannot be held to have passed by the mere words of the treaty without actual delivery. To complete the right of property, the right to the thing and the possession of the thing must be

united. This is a necessary principle of the law of property in all systems of jurisprudence. There must be both the *jus in (ad) rem* and the *jus in re*, according to the distinction of the civilians, and which Barbeyrac (C) says they borrowed from the canon law. This general law of property applies to the right of territory no less than to other rights. The practice of nations is full of instances of this kind and several of them were stated by Sir William Scott in the opinion he gave in the case of the *Fama*.' (Kent's Com., p. 178.)

"Sherston Baker, one of the latest and best writers on this subject, says: 'International law or the law of nations, *jus inter gentes*, may be defined to be "the rules of conduct regulating the intercourse of States."' (See International Law, by Sir Sherston Baker, p. 14.)

"On page 15 he says: 'It is said that the right and duties of states, which require an international law for their regulation and enforcement, result from the law of Nature, or by the will of God, and that the rules of the law, whether resulting from compact, custom, or usage, outwardly express the consent of nations to things which are naturally—that is, by the law of God—binding upon them.'

"On page 19 he says: 'The first source from which are deduced the rules of conduct which ought to be observed between nations is the divine law, or principle of justice, which has been defined as "a constant and perpetual disposition to render every man his due."

"Grotius lays down the broad principle that the positive laws of nations may add to, but cannot subtract from, the law of Nature. Others say that human laws are only

declaratory, but have no power over the substance of original justice. The principle of justice, deeply rooted in the nature and interest of man, pervades the whole system, and is discoverable in every part of it, even to the minutest ramification in a legal formality, or in the construction of an article in a treaty.'

"On pages 37, 38, and 39 he says: 'The right of a sovereign state to the choice of its own rulers rests upon the same foundation as its right to determine the form of its own internal constitution; and the interference of a foreign state in the one case cannot be justified except under the same circumstances and upon the same grounds as the other—viz., the immediate and pressing danger of its own independence and security.'

"'But this impending or contingent danger to the general peace of nations, or to the independence of particular states, is more frequently appealed to as an excuse than as a justifiable reason, for foreign interference in the internal affairs of others. And instead of preserving peace, such unlawful interference has frequently been the cause of wars the most cruel and bloody that have ever stained the annals of history.'

"On pages 59, 60, and 61 he says: 'A state is regarded in public law as capable of the same rights, duties, and obligations, with respect to other states, as individuals with respect to other individuals. Among the most important of these natural rights is that of acquiring, possessing, and enjoying property. The property of the state, of whatsoever description, is marked by the same characteristics relatively to other states as the property of individuals; that is to say,

it is exclusive of foreign interference and susceptible of free disposition. \* \* \* \* \* A sovereign state has the same absolute right to dispose of its territorial or other public property, but it depends upon its own municipal constitution and laws how and by what department of its government the disposition shall be made. \* \* \* \* \* Nevertheless, in order to make such a transfer valid, the authority, whether *de facto* or *de jure*, must be competent to bind the state. Hence the necessity of examining into and ascertaining the powers of the rulers, as the municipal constitutions of different states throw many difficulties in the way of alienations of their public property, and particularly of their territory. Especially in modern times the consent of the governed, express or implied, is necessary before the transfer of their allegiance can regularly take place.

“Formerly what Grotius calls patrimonial kingdoms were considered in the light of absolute property of particular families, who transferred them to others at their will, sometimes by mortgage and sometimes by deeds of gift and by bequests. \* \* \* \* \*

“As the inhabitants of such kingdoms had, by their blind submission to their rulers, become mere adjuncts of the soil, the transfer of the sovereignty was considered to include not only the right of eminent domain and the absolute property of the sovereign or state, but all private lands, and the property and services of the subjects, who were transferred with the soil, in the same manner as a slave-holder may transfer his slaves and all they may possess, together with the title to his plantation.

“But in modern times sales and transfers of national

territory to another power can only be made by treaty or some solemn act of the sovereign authority of the state. And such transfers of territory do not include the allegiance of its inhabitants without their consent, express or implied, and a change of sovereignty does not involve any change in the ownership of private property. The new sovereignty, however, acquires the same right of eminent domain as that held by the former.'

"On page 164 he says: 'But mere cession by treaty does not of itself operate as an immediate transfer of the allegiance of the inhabitants of the ceded territory. They remain subjects of the power to which their allegiance was originally due until the solemn delivery of the possession by the ceding state and an assumption of the government by that to which the cession is made. The actual delivery of the possession and the actual exercise of the powers of government must be clearly shown.'

"On page 157 he says: 'The obligation of a state to render justice to all others is a perfect obligation of strictly binding force at all times and under all circumstances. No state can relieve itself from this obligation under any pretext whatever.'

"On page 204 and 205 he says: 'War makes men public enemies, but it leaves in force all duties which are not necessarily suspended by the new position in which men are placed towards each other. Good faith is, therefore, as essential in war as in peace, for without it hostilities could not be terminated with any degree of safety short of the total destruction of one of the contending parties. This being admitted as a general principle, the question arises, How far



may we deceive an enemy and what stratagems are allowable in war? Whenever we have expressly or tacitly engaged to speak the truth to an enemy, it would be perfidy in us to deceive his confidence in our sincerity. But otherwise we are justified in leading him into error, either by words or actions.'

"On pages 350 and 351 he says: 'Military occupation suspends the sovereignty and dominion of the former owner so long as the conquered territory remains in the possession of the conqueror, or in that of his allies. The temporary dominion of the latter completely excludes, for the time being, the original dominion of the former. The vanquished sovereign, therefore, has no power as against the conqueror to alienate any part of his own territory which may be at the time in the possession of the latter. If the conquest be completed or confirmed, the title passes to the conqueror precisely as it was when the latter first acquired the possession. No other party can claim any right over it arising from any conveyance or transfer from the vanquished while it was in the conqueror's possession. But if it be surrendered up to the former owner or recovered by him, such conveyance would become valid, for the alienor would not be permitted to deny his own act. It is a principle of jurisprudence that the *jus in re* (the possession of) and the *jus ad rem* (the right to) the thing alienated are necessary in the grantor in order to constitute a complete title. During military occupation these exist together neither in the original owner nor in the conqueror. The title conveyed by either is, therefore, imperfect; if by the former, it is made good by a restoration of

the conquest; and if by the latter, it is completed by a confirmation of the conquest.'

"Prof. Woolsey, one of the highest authorities on this subject says: 'A state's territorial right gives no power to the ruler to alienate a part of the territory in the way of barter or sale, as was done in feudal times. In other words, the right is a public or political, and not a personal one. Nor, in justice, can the state itself alienate a portion of its territory without the consent of the inhabitants upon the same, and if this is done after conquest, it is only the acknowledgment of an unavoidable fact.' (Woolsey on International Law, p. 65.)

"If we apply the rules of international law laid down in the foregoing citations to the facts established in this case, we will find that the cession of the Philippine Islands to the United States by Spain in the treaty of Paris conveyed no title for the following reasons:

"First—Spain did not, and could not, deliver to the United States possession of the territory ceded, nearly all of it being then in possession of the Filipinos and held by them adversely to Spain and for themselves.

"Second—The Filipinos had been the allies of the United States in the war with Spain and were not parties to the treaty, and therefore could not be bound by it.

"Third—They never consented to the treaty nor to the sovereignty of the United States, but always claimed and insisted upon their right to freedom, independence, and self-government, against Spain, the United States and all the world.

"It is clear without further argument, that in making and waging war upon the Filipinos to acquire possession and control of their country, the military power of the United States violated that 'perfect obligation of a state' which Sherston Baker says is 'of strictly binding force at all times and under all circumstances.'

"It is another proof of the statement of Prof. Hall, that the rules of international law 'are often quietly ignored or brutally disregarded.'

"In fact, this was virtually admitted by Senator Carter when he said: 'This is a practical age. We are going to deal with the question on the basis of dollars and cents. Neither religion nor sentiment will have much influence in determining the verdict. The great question will be, Will it pay?'

"If there are any in this vast assembly who are not satisfied to have this question settled by the law of nations, it may be said that there is for them and for all true Americans a higher law than this, by which they are bound to concede to the Filipinos the right to freedom, independence, and self-government. That law is the Declaration of Independence. Its promulgation was the most solemn recognition of the rights of man ever made. Upon its truths this nation was founded. In dealing with other nations and peoples we are absolutely concluded by its principles.

"Our fathers declared that 'all men' are endowed by their Creator with the rights they enumerated. That endowment is universal and perpetual and binding always and everywhere. Whoever attempts to deprive any nation or

people of its benefits is opposed to the government of the Great Author of the endowment.

“Our fathers built our system of self-government upon that endowment of the Creator. Whoever, in any position, high or low, private or official, attempts to overthrow or undermine it, or in any way to defeat its operation, is an enemy to his country, for he would destroy the foundation upon which all of our institutions rest. That great boon is a shield and protection to the rights of all men or of none. We cannot justly claim it for ourselves and deny it to others.

“The doctrine that the Constitution does not confer upon Congress or the President the power to make and carry on wars of aggression and aggrandizement is supported by the authority of the highest tribunal in our country. In the case of *Fleming & Marshall vs. Page* (9th Howard, pp. 614-615), the Supreme Court of the United States says:

“The country in question had been conquered in war. But the genius and character of our institutions are peaceful and the power to declare war was not conferred upon Congress for the purpose of aggression or aggrandizement, but to enable the general government to vindicate by arms, if it should become necessary, its own rights and the rights of its citizens. A war, therefore, declared by Congress can never be presumed to be waged for the purpose of conquest or the acquisition of territory; nor does the law declaring the war imply an authority to the President to enlarge the limits of the United States by subjugating the enemy's country.

“The United States, it is true, may extend its

boundaries by conquest or treaty, and may demand the cession of territory as the condition of peace in order to indemnify its citizens for the injuries they have suffered or to reimburse the government for the expenses of the war. But this can be done only by the treaty-making power or the legislative authority, and is not a part of the power conferred upon the President by declaration of war. His duty and his power are purely military.'

"This seems sufficiently clear, for it was not necessary for the United States to make war upon the Filipinos to vindicate its own rights and the rights of its citizens. The war was merely one of aggression and conquest and for the acquisition of territory to which, as against the Filipinos, the United States had no valid right whatever.

"What the Court says about the right of the United States to extend its boundaries by conquest or treaty and to demand the cession of territory as the condition of peace in order to indemnify its citizens for the injuries they have suffered, etc., does not help the case as against the Filipinos, for the United States had suffered no injury from them. On the contrary, it had received much benefit. If the United States had a right to indemnity against Spain, no treaty between these parties could bind the persons or property or territory of the Filipinos. Spain had neither the possession nor the right to possess the one-hundredth part of those islands, nor could the treaty give the United States title to any part of them against the Filipinos without the consent of the latter, as already often stated in this discussion.

"I consider the question of the extent of the power of Congress, under the Constitution, to declare and wage war

so important that, with the indulgence of the meeting, I would say something more on that subject before closing.

“Many years ago I gave in ‘The Federalist’ (No. 40) two rules of construction, the application of which ought to settle the question whether the power of Congress to declare war is unlimited. The rules are these, and are dictated by plain reason as well as founded on legal maxims: The one is that every part of the expression ought, if possible, to be allowed some meaning, and be made to conspire to some common end. The other is, that where the several parts cannot be made to coincide, the less important should give way to the more important part; the means should be sacrificed to the end, rather than the end to the means.

“Let the most scrupulous expositors of the delegated powers answer whether it is of most importance that the rights enumerated in the Preamble to the Constitution should be preserved, or that Congress should have unlimited power to declare war, or to authorize the President to make war upon any people. Let them answer whether the preservation of the enumerated rights and blessings for which the Constitution was formed, or the unlimited exercise of the war power by Congress, is the more important. Which is the more important, the end or the means? Or rather, which is the more important, the ends to be attained, or the extreme and arbitrary exercise of one of the means provided by the Constitution to attain them? There can be but one answer to these questions.

“It is not intended to undervalue the war power, but to



guard against its abuse. It is not intended to deny the right and duty of Congress to exercise its discretion in declaring and waging war, but to insist that its discretion should be reasonably exercised and that the wars declared by it must be for objects contemplated by the Constitution.

"The power given the courts and judges to grant injunctions is a salutary one. But an arbitrary and unjust judge or court may so abuse his discretion as to make what was intended as a benefit a curse and a terror to the people. That would be an illegal exercise of a legal right.

"So the power of Congress to declare war may be so abused as to become an unconstitutional exercise of a constitutional power.

"The executive of the nation is the natural, proper, and constitutional commander-in-chief of its military force. But if, in exercising that command, he so manages as to involve his country in war with another people, he is guilty of usurpation and is liable for all the consequences which follow his unconstitutional action. Such, as I understand from the evidence, is the situation in the present case.

"The foregoing view of the limit and proper exercise of the war power under our Constitution is strengthened by a consideration of the history and character of the men who formed that Constitution. They were intelligent, patriotic men, devoted to liberty and free government, and labored long and earnestly to frame a constitution which would secure these blessings to themselves and their posterity forever. Several of them were signers of the Declaration of Independence, and most of them had been students of history

and acquainted with the science and practice of government for many years.

"It is not reasonable to suppose that such men would confer upon any department of the government they framed such a tremendous and dangerous power as unlimited discretion in making and waging war. Such a power would be uncontrollable and despotic, and could be used to defeat the objects for which the Constitution was formed. The logical conclusion is that this power was not intended to be, and was not, conferred upon Congress, and that its exercise would be unconstitutional."

Mr. Madison's manner was earnest but unimpassioned. He commanded the most profound attention, and I deeply regret my inability to reproduce his argument entire, or to give an adequate idea of its clearness and force.

#### COUNT TOLSTOI'S SPEECH.

Count Tolstoi said that he had been in the habit of giving his views upon the subject of war freely for many years. That if any excuse or apology were necessary to justify him in using great plainness of speech upon the present occasion, the extreme abuse of the jury indulged in at the political meeting held by some of the friends of the President last night might furnish it.

"Last year," he said, "in answer to a letter, I again gave my opinions upon the subject of war; a part of what I then

said is applicable to the present occasion, and I will repeat it substantially as it was then given:

“Enlightened, sensible, good Christian people, who inculcate the principle of love and brotherhood, who regard murder as an awful crime, who, with very few exceptions, are unable to kill an animal—all these people suddenly, under those conditions when these crimes are called war, not only acknowledge the destruction, plunder, and killing of people as right and legal, but themselves contribute towards these plunders and murders, prepare themselves for them, take part in them, are proud of them.

“If a man act in accordance with that which is dictated to him by his reason, his conscience, and his God, only the very best can result for himself and for the world.

“People complain of the evil conditions of life in our Christian world, but is it possible for it to be otherwise when all of us acknowledge not only that fundamental, divine law proclaimed some thousands of years ago, “Thou shalt not kill,” but also the law of love and brotherhood of all men; and when, notwithstanding this, every man in our European world practically disavows this fundamental divine law, acknowledged by him, and, at the command of president, emperor, or minister, of Nicholas or William, arrays himself in an idiotic costume, takes an instrument of murder, and says, “Here I am, ready to injure, ruin, or kill anyone I am ordered to.”

“Governments do not desire the settlement of misunderstandings; if there be none, they invent some in order to have a pretext to keep up the army on which their power

is based. Tribunals and arbitration serve but to divert the attention of the workers and sufferers, etc., etc.

“‘International relations are purposely always more and more complicated, which must bring about war; peaceful countries are being ransacked without the least cause; every year, in some place or other, plunders and murders take place, and all live in constant dread of general and mutual robbery and plunder.

“‘The plunderers of the world, in order to justify their teachings that war—i. e., murder—is permissible, are loud in proclaiming their adhesion to the Christian faith. But the Christian religion is in its very nature opposed to murder and violence. To overcome these seemingly grave discrepancies between their own teachings and those of Christ, what better way is there than to cripple and distort Christ’s own religion, hiding its real meaning from the masses for whom the Savior died?

“‘This barbaric distortion began in Russia as early as the reign of Czar Constantine, that royal monster who, instead of being hung, was canonized. His posterity, our present Czars, do their best, of course, to preserve this sacrilegious fraud. They stand as an impenetrable barrier between the people and the true meaning of Christianity, lest there should come a time when the people—that big-hearted, million-headed child—should discover that the government, with its taxes, its soldiers, its prisons, its false priests, is not only no such pillar of Christianity as it would like to be considered, but its bitterest foe.

“‘This libel on Christianity is the mother of all the lies

and base decoctions that bewilder our minds and all the miseries our nation is suffering from.

"It is only necessary for the people to awake in order to realize all the whole horror and insanity of that which they have been and are doing; and, having realized this, to cease that evil which they themselves abhor and which is ruining them. If only they were to refrain from the evil which they themselves detest—i. e., supporting war by paying taxes and by personal service—those ruling impostors who first corrupt and then oppress them, would, of themselves, naturally vanish like owls before the daylight; and then would be established those new, humane, brotherly conditions of life for which Christendom—wearied of suffering, exhausted by deceit and lost in insoluble contradictions—is longing.'

"The letter to which I have referred was written principally with reference to the continent of Europe and Great Britain. The last named nation is an anomaly in what is called the civilized and Christian world. In the last three hundred years that country has produced many men and women in the various professions and pursuits of life distinguished for learning, morals, or religion, and sometimes for every accomplishment and every virtue, who have done much for their country and their race. Among the common people also there have always been many humane, good citizens.

"But the ruling classes, especially those who for the time being governed that country, including nearly all of their kings since Alfred the Great, who had any ability, have always been cold-blooded, selfish, and brutal. England adopted the Christian religion nearly twelve hundred years

ago, and since Henry the Eighth her kings have been at the head of the national church and often at the head of the Protestant world; yet a large proportion of them were not only unfit to rule, but were unfit to live.

“The crimes of these men were horrible! Their history is sickening. It was their fashion, for hundreds of years, to torture their enemies and those who opposed them, before putting them to death, and to mutilate their bodies after. They considered all weak nations, all over the globe, their legitimate prey, and robbed and murdered them at will. Since the revolution of 1688 they have ceased to practice torture and mutilation, but to this very hour they have continued to practice robbery and murder wherever they have been opposed in their efforts to extend their territory and trade.

“In spite of all the improvements she has made in science, literature, and art, in spite of all her professions of morality and religion, in spite of all the good and great men and women whose names adorn her history, England remains to-day what she has been for nearly a thousand years—the great robber nation of the world.

“A very discriminating French writer, in speaking of the civilization of the English people and the barbarism of the English government, expresses the contrast as ‘that psychological paradox of the Anglo-Saxon race whose individual virtues are great and strong, but whose public hypocrisy is abominable and whose national selfishness is next to villainy.’ Twenty generations of English history prove that the Frenchman is right and that rapacity is the predominating



feature of England's foreign policy. If any evidence were needed that a sordid and soulless commercialism still rules her, the war in South Africa to crush out small republics by this nation, which boasts of being a land of freedom, would be ample proof.

"I rejoice in the reverses she has received there, and earnestly hope that her eventual failure may be so complete and overwhelming that she will abandon forever the old barbarous policy she inherited from the Angles, the Saxons, the Danes, and the Normans. I say this without malice and in the interest of humanity. Her being driven out of France was a benefit to her and to the world. Her being driven out of the thirteen North American colonies was better still. If she is driven out of South Africa, it will have a powerful influence for good upon her and result in putting an end to the unjust and cruel policy she has so long pursued. It will certainly break her prestige and greatly reduce her power to do mischief. She will then have all she can do to hold India and her other remote possessions.

"The people of the United States are called Anglo-Saxons. It would be more nearly correct to call them Anglo-Americans, for seventy years after their declaration of independence of England they manifested little of the piratical and brutal nature which characterized the Saxon. They founded their nation upon the right of all peoples to liberty, independence, and self-government, and, till a few years past, considered the truths of their great Declaration sacred. They admitted that negro slavery, as it existed in nearly all the States, was an inconsistency, but affirmed that it was

planted here by England and the nations of Europe and that it had taken such deep root that it could not be eradicated. Their peculiar relations to the Indian tribes at and before the formation of their national government was another condition to which, as they said, they were unable to apply in practice their doctrines of the rights of man. But they started at the first moment of their national existence at a point of political civilization which no other nation ever reached, and for two generations they made no attempt to interfere with the liberty and independence of any other people, or forcibly to deprive any foreign nation of any part of its territory. But in 1846 President Polk, as commander-in-chief of the United States Army, precipitated a war with Mexico for the purpose of acquiring territory, and after the conquest of that country under the thin disguise of a purchase the United States took from Mexico a very large and valuable territory, which was really the spoils of an infamous war. In that transaction the Americans exhibited the rapacity of the Saxon.

"The war against the Filipinos was begun in the same way and for the same object, and is a worse exhibition of the same spirit. In fact, as some American writer has well said, 'It is one of the worst cases of territorial piracy in the history of the world. Shame, everlasting shame and contempt, upon any professedly Christian ruler who would deliberately perpetrate such an outrage as that!'

"I believe that the author of this war is guilty of the willful and deliberate murder of every man and boy who has been killed in it or who has come to his death by wounds or sickness caused by it. And I believe further, that now is the

time to put a stop to such crimes, if ever they are to be stopped.

“America has been the great example and great hope of the lovers of liberty and humanity and self-government throughout the world. She started gloriously on her high career as a nation. Her great statesmen held her steadily to the principles upon which she was founded. She had more great and good chief magistrates in one hundred years than Great Britain has had in five hundred, and it would be the saddest picture in the book of time if she should continue in the downward road upon which she has now entered. Nothing but the most determined effort can save her, for it is as true of nations as it is of individuals, as the history of the world has demonstrated that

“The gates of hell are open night and day,  
Smooth's the descent and easy is the way;  
But to return and view the cheerful skies,  
In this the task and mighty labor lies.’

“An English historian, in speaking of the despotism of Henry the Eighth, says: ‘All sense of loyalty to England, to its freedom, to its institutions, has utterly passed away. The one duty which fills the statesman’s mind is a duty to his prince, a prince whose personal will and appetite were overriding the highest interests of the state, trampling under foot the wisest councils, and crushing with the blind ingratitude of a fate the servants who opposed him.’

“The distinction here made by the historian between loyalty to one’s country and devotion to an unprincipled ruler, who would sacrifice the best interests of that country to gratify himself, should never be forgotten. It is the sup-

port, both in war and in peace, of the highest interests and most lasting good of the nation, and not the support of any ruler, that makes a man a true patriot. It is a delusion to suppose that, because the ruler or rulers of a country have plunged it into an unjust, disgraceful, and ruinous war, its citizens are bound to support them and are disloyal if they do not. The makers and supporters of unjust wars use the word 'patriotism' as a ruse to wheedle the people into the support of bad measures, which, as good citizens, they are bound to and would oppose if they were not frightened from their propriety by the dread of being called traitors for their opposition. Traitor is a dangerous word and should be handled very carefully. It is a two-edged sword and is applicable to rulers as well as ruled, when the occasion demands it.

"I am a Russian and have denounced the arbitrary and unjust measures of the Czars of my country for many years—their war measures more than any others—and shall continue to do it as long as I live. If the words 'patriot' and 'traitor' are to be used here, the Czar is not the patriot and I am not the traitor. Henry the Eighth had Sir Thomas Moore beheaded for treason for refusing to support him in one of his arbitrary measures, but Moore was the patriot and Henry was the traitor. President Polk made the Mexican War and Mr. Lincoln opposed it and was called a traitor. If there was any treason in that business, I will submit the question to the people of the United States to decide who was the traitor.

"The present chief magistrate of the United States made and is now prosecuting a war against the inhabitants of the

Philippine Islands, because they claim the right to freedom and independence and self-government and refuse to be governed by him. In doing this he is making war upon the Declaration of Independence, upon the constitution of his country, and upon the very principles upon which the government was founded. There are millions of people in the United States who believe that war is unjust and unconstitutional, and that in its ultimate effects and consequences it will be ruinous to their country. They therefore oppose it. For this the President, in his travels through the country, in his numerous speeches, intimates and implies that they are traitors; and some of his supporters say it plainly. If I were an American as I am a Russian, and the President should call me a traitor for opposing his foolish and wicked war, I would undertake, by word and pen, to make him carry to the end of his days the mark of being himself a traitor as plainly as if the word were branded upon his forehead.

“It seems to me almost impossible that any considerable proportion of the American people can be imposed upon much longer by the enormous deceit, the stupendous lie, that this war is in favor of their country. It is against it and against everything good in the political, moral, and religious world.

“It is understood that the President did not originally intend to claim the Philippines, much less to take them by what he called ‘criminal aggression.’ Their appropriation was urged upon him by politicians who thought their seizure would be popular, and by speculators and traders who expected to profit by it, and by well-meaning people who did

not realize the enormity of the spoliation. It is also known that many of his friends strongly opposed it, and that one, Senator Sewell, of New Jersey, begged him, 'For God's sake, Mr. President, recall Dewey and let those islands alone!' There is a world of meaning in that exclamation. It is also believed, upon good evidence, that the robbery was finally decided upon by the influence of the British government. If this is true, it was a bad day for the world when that selfish monarchy induced the great American republic to adopt her cold-blooded and rapacious policy.

"The citizens of the United States are the most intelligent people in the world. It is reasonable to conclude that the delusion under which many of them have been laboring, that patriotism requires them to support a war begun and waged for spoil and by the advice of another nation and for her benefit, must pass away.

"It is to be hoped that their reason and sense of justice will return to them, that the principles of those great Presidents, Washington, Jefferson, and Lincoln, will be reëstablished in the government of the United States, and that all its departments may be filled with men who will be faithful to their own country and devoted to the everlasting truths of their Declaration of Independence."

#### GENERAL WASHINGTON'S SPEECH.

General Washington was the next speaker. He said: "In discussing the importance of peace with all nations and the danger of being hurried into war by passion and preju-



dice, in my farewell address I stated that the nation, prompted by ill will and resentment, sometimes impels to war the government contrary to the best calculations of policy. The government sometimes participates in the national propensity and adopts, through passion, what reason would reject.

“That statement grew out of the relations of the United States at that time to foreign nations, but was intended as a general truth, and has been entirely applicable to this country since the beginning of the agitation against Spain. There was, to use Mr. Clay’s expression, no ‘dire necessity’ for our war with Spain. Spain, England, or Russia had, upon principle, the same right to make war upon the United States for the cruelty with which we treated the negroes and the robbery we practiced upon the Indians, that we had to make war upon Spain for her robbery of and cruelty to the Cubans.

“The President, according to his own public and positive statement, was opposed to that war. The quotation I have made fits the origin of the war with Spain as well as it fitted the occasion for which it was made. That war, in my opinion, was not the offspring of reason or principle or sound policy. Its professed object was to secure to the Cubans the blessings of freedom and self-government. There is not, at present, very much probability of any other fate for Cuba than a change of masters. But, however that may be, and however specious and plausible may have been the reasons for the war with Spain, and however much good citizens may have been misled by them, I think it is perfectly clear that the war upon the Filipinos, because they insist upon their

right to freedom and self-government and refuse to submit themselves and their country to the United States, is in direct conflict with our Declaration of Independence, with natural right, and with the revealed will of the Governor of the Universe.

“It was with great regret that I felt compelled to find a verdict against the President of the United States. I still think that it was right. If sustained by the people and Congress, it may avert from our country the punishment which always follows great national crimes when unrepented of and unatoned for.”

#### BISHOP SIMPSON'S ADDRESS.

“The subject which the meeting had been called to consider has been so thoroughly discussed that I do not wish to say much in conclusion, except upon one point. That point was raised by Mr. Lincoln. He said: ‘In discussing the question of war, Christianity seemed to be a failure.’

“I had occasion many years since to preach a sermon upon that subject, and time has confirmed me in the views I then expressed. It seems to me that I can do nothing better in closing this meeting than to give the views I then expressed, enlarged and ripened by subsequent experience:

“The advent of Christ was predicted 4,000 years before He appeared. This prediction was repeated by the prophet Isaiah long afterwards in perhaps the grandest prophecy

ever uttered. I will read a part of it for your instruction and my own:

“3. He is despised and rejected of men; a man of sorrows, and acquainted with grief; and we hid as it were our faces from him; he was despised, and we esteemed him not.

“4. Surely he hath borne our griefs, and carried our sorrows; yet we did esteem him stricken, smitten of God, and afflicted.

“5. But he was wounded for our transgressions, he was bruised for our iniquities: the chastisement of our peace was upon him; and with his stripes we are healed.

“6. All we like sheep have gone astray; have turned every one to his own way; and the Lord hath laid on him the iniquity of us all.

“7. He was oppressed, and he was afflicted, yet he opened not his mouth; he is brought as a lamb to the slaughter, and as a sheep before her shearers is dumb, so he opened not his mouth.

“8. He was taken from prison and from judgment: and who shall declare his generation? for he was cut off out of the land of the living: for the transgression of my people was he stricken.

“9. And he made his grave with the wicked, and with the rich in his death; because he had done no violence, neither was any deceit in his mouth.

“10. Yet it pleased the Lord to bruise him; he hath put him to grief: when thou shalt make his soul an offering for sin, he shall see his seed, he shall prolong his days, and the pleasure of the Lord shall prosper in his hand.

“11. He shall see of the travail of his soul, and shall be satisfied: by his knowledge shall my righteous servant justify many; for he shall bear their iniquities.’

“Nineteen hundred years ago, in fulfillment of this prophecy, Christ came and performed His mission. He spent his life in doing good and in teaching the best system of morals and politics and religion ever known among men, and sent His disciples to proclaim it throughout the world.

“All the suffering, sorrow, humiliation, and shame predicted by the prophet came upon him. He lived a perfect life and died an infamous death. The greatest writers who deny His divinity admit the grandeur and glory of His character, and that He was the greatest and best of created beings. Few have been so hardy as to deny that the rules he left for the guidance of our race, if universally followed, would transform the earth and lead to universal peace and happiness.

“No level-headed man can deny this who considers well the radical nature of the teaching of Christ and the solid and eternal foundation upon which His religion is based. Its foundation is love. Not the love of parent and child, of husband or wife, of relative or friend or country, but the love of all mankind as brethren, having the same origin and the same destiny.

“It is not easy to realize the far-reaching and revolutionary nature of the teaching of Christ, if carried, as He intended it should be, into every relation of life, including the laws, politics, and diplomacy of every government. And unless it is in its influence thus all-pervading, it falls far short

of its mission, and is indeed, to use the expression of Mr. Lincoln, 'a failure.' The mission of Christ was to remove evil from the earth, to spread abroad peace and truth.

"I need not take the time of such an audience as this to prove that so far the gospel has not succeeded in removing evil and spreading truth and peace throughout the world. The world is full of evil, and two of the most unjust wars in history are now being waged by the two greatest nations, which are nominally Christian, and all the great nations of the world are armed to the teeth for war. More than sixty-two generations have passed away since Christ sent His apostles to teach all nations, and yet how little has really been accomplished in morals or religion!

"Take uncivilized countries where the gospel has been preached: how little effect it has had among them! Come to civilized lands where the gospel is heard: how little influence it has had! what corruption there is in high places! Look at society: even among men who pretend to be Christians, how much selfishness there is! how much covetousness! See how wickedness reigns in the world! What is the trouble? Why has the progress of the Gospel been so slow?

"I answer that the strongest reason is that the men who profess to be Christians are such imperfect specimens of Christianity. Christ selected twelve apostles; what were they? In the hour of danger one of them cursed and swore. When Jesus rose from the dead, another doubted. See their selfishness! Trying, some of them, to be greater than the rest; wanting, some of them, to sit at His right hand, and

others at his left. How little idea had they of the purity and spirituality of His kingdom! They longed for a temporal power. Take the church organizations: the leading men of the church, how inefficient! And there is so little efficiency in the church as an organization. Go through it; go into your stores and offices: how little is said of Christ! how little faith is manifested! And they say, 'What can the church accomplish?' How little faith that the work can be done! We assemble in our congregations, but we have no thought that the city can be conquered.

"Vice is running down our streets; degradation has its home in our garrets and cellars. Ah! well, if it were confined to garrets and cellars; but vice in its most hideous forms has its home in your brown-stone houses, your costly residences.

"Take the literature: how obscene much of it is, and how poisoning! Take the man who will be a true Christian, a living earnest man in his shop, his business, his politics, everywhere, who talks of Jesus and the triumphs of His cross as he talks of business and trade: he is a singular man and the world wonders at him.

"I have spoken of covetousness. Perhaps there is no more general, all-pervading vice, and it leads to so much crime. We are told that the love of money is the root of all evil. The churches are full of covetousness and the love of money. In fact, it has come to pass that money governs nearly every business, political, literary, and religious organization in this country. Indeed, it controls the government itself and often decides state and national elections.



It elects United States senators and controls them after they are elected.

“Money was at the bottom of the Philippine and Boer wars and all the horrors and infamy they have brought in their train. What did the church in England and America do to prevent these wars? Nothing! On the contrary, their influence was the other way, and the blood of thousands of Filipinos and Americans shed in that unhallowed war is crying to heaven against the churches as well as against the speculators, politicians, and traders who made it. The Sermon on the Mount, Paul’s sermon on the absolute necessity of charity (or love), the exhortations of all the apostles, the dying command of Christ to ‘put up the sword, that all who took the sword should perish by the sword,’ have been so far inadequate to the task of turning the so-called Christian churches against this wicked Philippine War.

“This state of things is partly the fault of the clergy, but more the fault of the men upon whom the clergy depend. A distinguished clergyman states the case as follows:

“ ‘Almost more than any other class, the men who minister from our pulpits are becoming the helpless victims of the most brutal intimidations of money interests. If they preach the truth which Jesus preached, they will disrupt their congregations, destroy their own reputations, and will be practically blacklisted by the churches. Long years of preparation are required for their calling, and the financial returns to ability are small. Helpless economic dependence is not a good school in which to train men for spiritual boldness and liberty. With the doors of the church closed against him, after years of preparation, and with a dependent family

about him, it is not wonderful that the pastor seeks truth in the terms of the existing order.'

"An illustration of the correctness of the foregoing statement occurred recently in one of our cities in a large congregation. In the forenoon the pastor preached against war. Some of the leading members of the church interviewed him during the day, and at night he preached in favor of war. But illustrations are not necessary. The entire history of Christianity proves the tremendous influence that pecuniary interest has over the clergy and the people. That history is darkened by the shadows of many apostates, great and small, who for filthy lucre, popularity, or office abandoned the service of God and enlisted under the bloody banners of Mars and Moloch.

"It is true that there have been in all ages, and now are, noble examples of men who have not bowed the knee to these blood-thirsty deities. There are men in this country who would sacrifice their salaries and their lives, if necessary, before they would preach in favor of such an abomination as this Philippine War, but they are sadly in the minority. At present nearly every large and popular church organization goes with the multitude. The really good people among them, who take Christ at His word and do not attempt to fritter away His meaning, do not count for much. The organization, as a whole, is governed by fashion and by money, and is not a very congenial place for poor people, no matter how good they may be. If Christ should suddenly enter a fashionable church, He would not be welcome. If He were given a seat at all, it would be as far back as possible.

"The conversion of the world must be commenced in the

churches, and first of all among the preachers. When they are truly converted, when they become actual Christians, when they become sanctified by the truth and the truth has made them free to carry out and practice their religion everywhere and live it all the time, then they will have courage to declare the whole counsel of God. Then they will boldly preach against fraud and falsehood and hypocrisy, against covetousness, against the love of money, against devotion to fashion; in favor of the love described, commanded, and practiced by Christ, and the charity preached by Paul; and against war, the greatest of evils—war which embodies in itself or carries in its train nearly all evils and all crimes—war which is the lowest, coarsest, most vulgar and brutal of all the occupations of man—war which had its origin with the fallen angels and is the proper profession of devils only.

“The popular notion that war is a great promoter of civilization is another reason for the demoralization of the Christian world. The idea is absurd. War is the prolific fountain of vice and crime, as already shown. War is almost the embodiment of barbarism. How can civilization be promoted by its opposite, barbarism? Christ exposed the fallacy of that kind of reasoning when He exploded the charge of His enemies that He cast out devils by Beelzebub, the prince of devils.

“Recently the general assembly of the Presbyterian Church addressed a petition to the President against the enormous increase of saloons and intemperance in Manila since its occupancy by the American Army. This is like ‘locking the stable door after the horse has been stolen.’ If the clergy of the United States had been as earnest in opposing

the beginning of the war as they now are in trying to abate one of its many evil consequences, their united and determined influence might have prevented it, and the four hundred saloons of which they complain would not have been started. The war caused the saloons, and their apathy is, to a considerable extent, responsible for the war.

"I say their apathy, because, to their credit be it spoken, a large majority of them did not really preach in favor of it. That kind of preachers are not very numerous in the Christian church, and it is well that they are not. Of all the monstrosities this world exhibits, a preacher of the gospel of the Prince of Peace who advocates a foreign war of aggression and conquest to acquire territory, extend commerce, and increase trade and wealth, in the name of Christian civilization, is perhaps the greatest. It is difficult to conceive of a greater moral paradox. Such preachers crucify the Son of God afresh and put Him to an open shame. Of whom Isaiah said: 'Woe unto them that call evil good, and good evil; that put darkness for light, and light for darkness; that put bitter for sweet, and sweet for bitter!' And against whom Christ hurled that terrible denunciation: 'Woe unto you Scribes and Pharisees, hypocrites!' 'Ye serpents, ye generation of vipers, how can ye escape the damnation of hell?'

"When the impostor who, under the name of American civilization, established the four hundred saloons in Manila gets his gambling-houses and all the other places of vice and crime which accompany or follow such a war in full and successful operation, he will be prepared to take off the mask.

He can then safely put to the victims of his guile the same terrible question asked by the unveiled prophet of Khorasan of his deluded and astonished victim.

“At the rate we are now going, Manila is likely to become in time as good a specimen of the civilization wrought by such a war as Calcutta, the capital of British India, after a commixture of ‘criminal aggression’ and ‘benevolent assimilation’ had been tried upon that country for generations. A distinguished English writer described that city as ‘a gorgeous monument of rapine, a painted sepulchre of crime.’

“Christ prayed that His disciples might all be one in Him and His Father: ‘That the world may believe that thou hast sent me.’ Similar reasoning will govern the modern world. When men see that the clergy are actuated by the spirit of Christ and governed by His precepts in all their ways, they will be prepared to accept a religion which bears such good fruits.

“But you ask me when this will be. How long will the world have to wait till the evils and crimes of humanity will be ended by the universal acceptance and practice of the religion of Christ? I answer, I cannot tell. I do not know. We must wait and see. It was forty centuries from the time Christ was promised till He came. He waited for the fullness of time; waited till men had exhausted their plans; waited until the world was weary with attempting to conquer human ills and human errors; waited until the wisest philosophers had taught, until the most eloquent orators had spoken, until the strongest governments had tried their schemes; waited until Egypt had risen in learning and then sunk to ruin; waited until Babylon and all her glory had per-

ished, until Greece with all her philosophy and arts was a failure; waited until Rome seated on her seven hills, and grasping the known world, had gathered her poets, painters, and philosophers, and yet in the midst of her glory was rushing headlong to ruin, and poor humanity was uttering the cry, 'What must we do to be saved?' Then, when man could do no more, Christ came.

"The world has waited since His advent nineteen hundred years to be conquered by His spirit and His precepts. No man knoweth how much longer it must wait. The times and seasons and the reason why we must wait are known only to God. He is His own interpreter, and He will make it plain.

"But I think we have passed the sonship and childhood of Christianity—the age when it astonished by its miracle and wonders, when it simply stirred the intellectual powers of the world. We have reached the point where it has laid its hands upon the powers of the earth, and it is opening its heart of sympathy and taking in the lowest of the low—all forms of suffering and misfortune—and the next age that shall be developed is that of the Prince of Peace. I see the era coming. I see it in the proposals to arbitrate and in the efforts to avoid war. The age is coming when out of the heart of the everlasting Father shall be developed the reign of the Prince of Peace. Christ is to reign King of Kings and Lord of Lords; and as He reigns the sword shall be beaten into the plowshare and the spear into the pruning-hook, and men shall learn war no more. And when that age comes, of His dominion there shall be no end. He shall reign until the universe shall crown Him Lord of all.



“The nations which ought to lead in this regeneration of our race are Great Britain and the United States, and I earnestly hope they will. And I fervently pray that the Boer and Philippine wars will be the last exhibitions which these nations will ever give of the rapacity which they inherited from their heathen ancestors. Their privileges and blessings have been greater than those of any other nations, and their obligations to God and humanity are greater.

“I think they will realize this more and more from year to year, and I hope that ere long they will awake to a consciousness of the wrongs they have inflicted upon those unfortunate peoples, restore all their rights to them, atone, as far as possible, for all the evil they have done them, and be forgiven. Even the author or authors of the war against the Filipinos, who have caused so much intemperance, disease, insanity, and the slaughter of so many thousand men; even they, stained as they are, with so much blood unrighteously shed, may be forgiven. The Great Prophet assures us that ‘though your sins be as scarlet, they shall be white as snow; though they be red like crimson, they shall be as wool.’ Even wholesale murder may be forgiven.

“In that noble passage from Isaiah which I read in opening this discourse it is said of Christ: ‘He shall see the travail of his soul and be satisfied.’ He could not be satisfied without the salvation from slavery and sin and want of all the race He died to save. Every continent and every island of the sea shall be redeemed. Ethiopia shall stretch out her hands to God. And the dark continent of Africa, so long the prey of the white man, shall be lighted up by the Sun of Righteousness, who shall shine upon all her deserts, and in

all her waste places, and o'er all her blood-stained fields, with healing in His beams, for all her woes.

"But though men are to be saved and the world is to be redeemed and regenerated, you are not to infer that either individuals or nations can escape the natural consequences of their evil deeds. Christ came to save His people from their sins, not from the consequences of their evil deeds. These were interwoven by the Creator in the very framework of the universe, and can neither be avoided nor escaped. The evils that men do live after them, and cannot be undone. The forty thousand men who have been slaughtered in this lamentable Philippine War cannot be restored to life.

"The thousands of maimed bodies and ruined constitutions will remain maimed and ruined. The enormous cost of the war must be paid by the people. The intemperance, profligacy, corruption, and other evils caused by it will continue long after the present conflict is ended. And the disgrace of making such a war will endure as long as the history of the nation.

"I entreat my countrymen, and also my countrywomen, who have suffered so long and so much from this curse, and I implore all of my brethren and sisters of the Christian Church, of all denominations, to use all their influence to put a final end to this greatest scourge of the human race. I assure the young men of my country that it is a great delusion to suppose that honor or glory can be acquired in an unjust or an unnecessary war. Such a war, no matter how successful it may be, is a disgrace and shame. Nothing but righteousness exalteth a nation, and nothing but sin is a disgrace to any people. If the young men of this country

would win true and lasting honor and glory, let them engage in a bloodless contest with war itself and fight it to the end.

“The Great Apostle tells us that ‘one star excelleth another in glory.’ In the celestial world of the future, his star shall be the brightest who has done the most to put war and all the enemies of our race under the feet of the Prince of Peace. The glory of Sirius, that matchless star that now shines nightly above us, is material and transitory. But the glory of the men who spend their lives in the regeneration and redemption of mankind will continue to shine, with undiminished radiance, after the material heavens have been rolled together as a scroll and the elements have melted with fervent heat.

“I should rejoice if, in closing this discussion, I could inspire this audience with the confidence which I feel in the future. I have an abiding faith in the abolition of war and the redemption of man. I shall not live to see it, but it will come before the close of the next century, and maybe before the end of the next generation.

“The present fearful demoralization in church and state will pass away. The craze in favor of war will be followed by a reaction in favor of peace. In 1854 slavery, the next evil in magnitude to war, seemed stronger than ever before. In ten years it was abolished. The means taken to extend and perpetuate it hastened its destruction. So it will be with war. This miserable Boer and Philippine business will so extend and strengthen the abhorrence of war throughout the world as to compel the nations to abolish it.

“Some of you, perhaps, fear the spirit of unrest that pervades the nations. Fear not. The spirit you see moving on

the face of the troubled waters is a benign and not an evil spirit. The ear of faith can hear it repeating those words of hope and encouragement uttered long ago upon a stormy sea: 'Be of good cheer. It is I. Be not afraid.'

"As I close this address the predictions of prophets and songs of poets foretelling and describing the blissful reign of Messiah seem to crowd my memory. I give you in conclusion a few cheering and inspiring lines from one of them:

"'No more shall nation against nation rise,  
Nor ardent warriors meet with hateful eyes:  
Nor fields with gleaming steel be covered o'er,  
The brazen trumpets kindle rage no more;  
But useless lances into scythes shall bend,  
And the broad falchion in a ploughshare end.  
All crimes shall cease, and ancient fraud shall fail:  
Returning Justice lift aloft her scale,  
Peace o'er the world her olive wand extend  
And white robed Innocence from heaven descend.  
No more the rising sun shall gild the morn,  
Nor evening Cynthia fill her silver horn:  
But lost, dissolved in thy superior rays,  
One tide of glory, one unclouded blaze,  
O'erflow thy courts: The Light Himself shall shine  
Revealed, and God's eternal day be thine!  
The seas shall waste, the skies in smoke decay,  
Rocks fall to dust and mountains melt away;  
But fixed His word, His saving power remains,  
Thy Realm forever lasts, thy own Messiah reigns.'"

## CONCLUSION.

The speech of Bishop Simpson occupied nearly an hour in the delivery. I have given the substance of it, but very imperfectly. The presence and manner of the speaker added much to the effect of it, and the fact of his long and intimate personal and political friendship for Mr. Lincoln added more. He held the undivided attention of the entire audience and the effect of his address was evidently very great.

After the Bishop closed, Mr. Clay took the platform and offered a series of resolutions for adoption by the meeting—declaring that the war against the Filipinos was unjustly and unconstitutionally begun by the President—that they were the owners of their own country and had a right to freedom and independence and self-government, and that no nation had a right to force any form of government upon them against their own consent. And requesting Congress to put an immediate stop to the war, and the President to enter promptly into a treaty of peace with the Filipinos upon the basis of their freedom and independence.

He explained each resolution briefly, and then for a few minutes addressed the meeting, urging their unanimous adoption. It was the most eloquent speech I ever heard. His appeal to those who professed to be followers of Christ was irresistible. He stated that he was himself a member of a Christian church, and that he expected soon to stand before the judgment-seat of Christ, and there to meet the inhabitants of those islands, who had been persecuted so long by professedly Christian men.

He wished to meet them feeling that his garments were not stained with their blood. In that awful presence he wished to know that his robe was white and pure, and he appealed to all his hearers to so vote now and act hereafter that they could feel, in the presence of their final Judge, that they had done their whole duty to these unfortunate people and all others.

The effect of this speech was shown in the vote upon the resolutions. It seemed to be the unanimous voice of twenty thousand people. It seemed to pierce the roof of the building, and to reach the very throne of the Almighty Power before whom Mr. Clay had summoned his audience.

The noise awoke me from my long sleep. The great auditorium, the vast audience, the tall commanding form of the speaker, the sad earnest face of Mr. Lincoln, the benign countenance of Bishop Simpson, the majestic form of Washington—the whole wonderful scene in which I had been entranced for so many hours faded away and left nothing behind but the remembrance of a dream.



## APPENDIX.

Note to Bishop Simpson's sermon (taken from the *Literary Digest* for March, 1900).

“\* \* \* Regret is expressed by several papers for the state of affairs pictured in a number of reports from the Philippines, which seem to agree that there is an immense amount of drunkenness among the Americans there. President Schurman, of the Philippine Commission, it will be remembered, said publicly soon after his return to this country: ‘I regret that Americans have been allowed to establish saloons in the Philippines, for the Filipinos are a temperate people, and the sight of an intoxicated American disgusts them. Nothing has done so much damage to the reputation of the American people as this.’ Captain Frank M. Wells, chaplain of the First Regiment of Tennessee Volunteers, who describes himself as ‘an Administration man clear through,’ said in an address in Washington, February 11th, that ‘before the American troops entered Manila there were only three saloons in the city, and that in each only soft drinks were sold; but that now there are four hundred saloons, selling whisky. And the drunkenness seems to be as bad afloat as ashore.’ He said:

“‘While on board one of the transports to Cebu, I found that liquor-selling was the same as on the other transports. I tried to have it stopped, but failed. I took special care of the men in my regiment, with the determination that if I could not save their souls, I would at least get them to hell sober. I never saw so much liquor on a Mississippi steamboat, and I have traveled on a good many, as I saw on the transport *Sheridan* the last three days we were in Cebu.’

"Similar testimony was given a few weeks ago by Lieutenant E. Hearne, of the Fifty-first Iowa Volunteers, who had just returned from Manila. In an address in New York City he said:

"The Filipinos, while pagans and semi-civilized, are moral and sober. They first learn of Christianity from the profane sailor, and when they see immense numbers of drunken, profane, and immoral soldiers representing this country, they have little respect for the religion they profess. 'If that is your religion,' they say, 'we prefer our own.' The soldier, when associated with others, loses his identity. Then his savage and lower nature displays itself. This is particularly true of the soldier in the Philippines, idle under a tropical sun. He loses all his religion. It is our duty first to send out Christian soldiers if we expect to make any sort of impression on the people there.'

"Mr. W. B. Miller, who has charge of the Army and Navy work of the Young Men's Christian Association, said in an address at the same meeting:

"So great was the effect of the drunkenness and irreverence of the American soldier in the Philippines that one man, writing to me from Manila, said that two missionaries gave up their work among the natives and went to work on the army. They realized the uselessness of their work when there was an immoral and drunken army representing this country on hand. One drunken soldier can do more evil than two missionaries can undo. The sending of whisky and questionable things to Manila is not a badge of honor for this country.'

"The latest report from Manila on this phase of expansion comes from Mr. H. Irving Hancock, Manila correspondent of *Leslie's Weekly*, who says:

"Of all the problems that confront us in the reconstruction of the Philippines, the gravest and wickedest is one of our own importation. The Manila saloons, taken collectively, are the worst possible kind of a blot on Uncle Sam's fair name. The city's air reeks with the odors of the worst of English liquors. And all this has come to pass since the 13th day of August, 1898! \* \* \* To-day there is no thoroughfare of length in Manila that has not its long line of saloons. The street-cars carry flaunting advertisements of this brand of whisky and that kind of gin. The local papers derive their main revenue from the displayed advertisements of firms and companies eager for their share of Manila's drink-money. The city presents to the new-comer a Saturnalia of alcoholism. \* \* \*

"I do not mean this as a tirade against all saloons. It is only a much-needed protest against the worst features of the American saloon that have crept into Manila arm in arm with our boasted progress. There is nowhere in the world such an excessive amount of drinking, per capita, as among the few thousand Americans at present living in Manila. Nor does this mean that we have sent the worst dregs of Americanism there. Far from it; some of the best American blood is represented in Manila. There are men of brains and attainment there, who would nobly hold up our name were it not for the saloon at every step. Gamblers and depraved women—in both classes the very dregs of this and other countries—have followed, and work hand in hand with their

natural ally. These people are fast teaching the natives the depths of Caucasian wickedness, and the natives imagine it is Americanism. \* \* \* \*

“Chairman Schurman of the Philippine Commission voices his regret that the American saloon was ever permitted to make its advent in Manila. Well may he regret it, as may every other American too who has been in Manila during the past year. It is a great mistake to suppose that every officer, soldier, and sailor in the Philippines is drinking to excess, but some of them do, and the same is true of a great percentage of the civilians. The native is not discriminating, and attributes this vice to all Americans. If saloons were carefully and honestly restricted in number and put under the rigid regulations that decency requires, this shame of Uncle Sam would quickly vanish. It is the glaring opportunity for drunkenness that does so much harm.

“So far as my observation went, I found that the military authorities of Manila were not on record as having done anything to abate this crying disgrace. Indeed, one American officer, fairly high in the councils at the palace, is the putative head of the concern that is doing the most to encourage and supply the thirst of Manila. We tried to civilize the Indian, and incidentally wiped him off the earth by permitting disreputable white traders to supply him with ardent liquors. Are we to repeat this disgrace tenfold, as we at present seem fair to do, in the Philippines?”

“*A Crime Against a People.*—The American soldiers, however, might drink themselves into death or idiocy, and it would be of less ultimate consequence than the simple fact of the introduction of the liquor traffic into the Philippine

Islands. In one respect, at least, the civilization of the Filipinos was superior to our own, and that was in the use of intoxicating drinks. All travelers have testified to their temperateness and their very slight use of intoxicants. Our first step has been to flood their towns and cities with whisky, and thus break down a conspicuous native virtue. For this liquor curse must remain in the Philippines long after the bulk of the American army has been withdrawn. It is the experience in all tropical countries that the whisky habit, once it secures a foot-hold, is difficult to extirpate. Whisky is a great decimator of tropical populations.

"The seriousness of the crime thus committed must be confessed by the Government itself, since, in its view, the Filipinos must be regarded as children. What would the world think of a nation that deliberately or heedlessly led millions of children into the liquor habit for the sake of profit? It is certainly remarkable that the Government, while regarding the Filipinos as children in their political capacity to govern themselves, should regard them as thoroughly mature in their capacity to govern their physical appetites. The Government has been extremely solicitous not to grant the Filipinos self-rule in political affairs, yet it has left them the prey of American rum-sellers in social affairs.

"One does not need to be a prohibitionist in the United States to believe that the sudden and unrestrained introduction of the liquor traffic into a country where it had never before existed was a crime against heaven and earth. The traffic could have been forbidden at the outset by one man; it could be forbidden to-day by one man, because the

whole archipelago is under martial law.”—*The Springfield Republican*.

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Extract from a speech delivered at a great public dinner given to Mr. Webster at Philadelphia, on the 2d of December, 1846, on the “War Power.”

“\* \* \* But the annexation was completed. The western boundary was a matter about which disputes existed or must arise. There was, as between us and Mexico, as there had been between Texas and Mexico, no ascertained and acknowledged western boundary.

“This was the state of things after the annexation of Texas, and when the President began military movements in that direction. Now, gentlemen, that I may misrepresent nobody, and say nothing which has not been clearly proved by official evidence, I will proceed to state to you three propositions, which, in my opinion, are fairly sustained by the correspondence of the government in its various branches and departments, as officially communicated to Congress.

“First—That the President directed the occupation of a territory by force of arms, to which the United States had no ascertained title; a territory which, if claimed by the United States, was also claimed by Mexico, and was at the time in her actual occupation and possession.

“The Texan convention was to assemble July 4, 1845, to pass upon the annexation. Before this date, to-wit, on the 28th day of May, General Taylor was ordered to move towards Texas; and on the 15th day of June he was instructed by a letter from Mr. Bancroft to enter Texas and concentrate



his forces on its 'western boundary,' and to select and occupy a position 'on or near the Rio Grande, to protect what, in the event of annexation, will be our western border.'

"That the United States had no ascertained title to the territory appears from Mr. Marcy's letter to General Taylor of July 30, 1845. General Taylor is there informed that what he is to 'occupy, defend, and protect' is 'the territory of Texas, to the extent that it has been occupied by the people of Texas.' It appears in the dispatch last quoted, that this territory had been occupied by Mexico.

"Mr. Marcy goes on to say: 'The Rio Grande is claimed to be the boundary between the two countries, and up to this boundary you are to extend your protection, only excepting any posts on the eastern side thereof which are in the actual occupancy of Mexican forces, or Mexican settlements over which the republic of Texas did not exercise jurisdiction at the period of annexation, or shortly before that event.'

"This makes it perfectly clear that the United States had neither an ascertained nor an apparent title to this territory; for it admits that Texas only made a claim to it, Mexico having an adverse claim, and having also actual possession.

"Second—That as early as July, 1845, the President knew as well as others acquainted with the subject, that this territory was in the actual possession of Mexico; that it contained Mexican settlements, over which Texas had not exercised jurisdiction, up to the time of annexation.

"On the 8th of July the Secretary of War wrote to General Taylor that 'this department is informed that Mexico has some military establishments on the east side of

the Rio Grande, which are, and for some time have been, in the actual occupancy of her troops.' On the 30th of July the Secretary wrote as already mentioned, directing General Taylor to except from his protection 'any posts on the eastern side thereof [of the Rio Grande] which are in the actual occupancy of Mexican forces, or Mexican settlements over which the republic of Texas did not exercise jurisdiction at the period of annexation, or shortly before that event.'

"It manifestly appears to have been the intention of the President, from the 28th day of May down to the consummation of his purpose, to take possession of this territory by force of arms, however unwilling Mexico might be to yield it, or whatever might turn out on examination to be her right to retain it. He intended to extinguish the Mexican title by force; otherwise his acts and instructions are inexplicable.

"The government maintained from the first, that the Rio Grande was the western boundary of Texas, as appears from the letters to General Taylor of the 28th day of May and 15th day of June, 1845. On the 15th day of June, General Taylor was instructed to take such a position 'on or near the Rio Grande' as 'will be best to repel invasion and protect what, in the event of annexation, will be our western boundary.' In accordance with these are also the instructions of July 30th, to which I have already referred.

"On the 6th day of August the Secretary wrote to General Taylor: 'Although a state of war with Mexico or an invasion of Texas by her forces may not take place, it is, nevertheless, deemed proper and necessary that your force should

be fully equal to meet with certainty of success any crisis which may arise in Texas, and which would require you by force of arms to carry out the instructions of the government.' He is then, in the same letter, authorized to procure volunteers from Texas. On the 23d day of August the Secretary instructed General Taylor thus: 'Should Mexico assemble a large body of troops on the Rio Grande, and cross it with a considerable force, such a movement must be regarded as an invasion of the United States and the commencement of hostilities.' He is then instructed how to assemble a large force. On the 30th day of August he was instructed, in case any Mexican force crossed the Rio Grande, 'to drive all Mexican troops beyond it'; that any attempt by the Mexicans to cross the river with a considerable force would be regarded as an invasion; and that on such an event, namely, 'in case of war, either declared or made manifest by hostile acts,' he was not to confine his action within the territory of Texas. On the 16th day of October the Secretary wrote that 'the information which we have here renders it probable that no serious attempt will, at present, be made by Mexico to invade Texas.' But General Taylor is still instructed to hold the country between the Nueces and the Rio Grande. 'Previous instructions will have put you in possession of the views of the government of the United States, not only as to the extent of its territorial claims, but of its determination to assert them.'

"He is directed to put his troops into winter quarters, accordingly, as near the Rio Grande as circumstances will permit. Up to this time and to the 11th day of March, 1846, General Taylor was at Corpus Christi. The open and de-

cided step was taken on the 13th day of January. On that day the Secretary of War directed General Taylor to march to the Rio Grande and to take up a position opposite Matamoras. He is instructed, in so doing, in case Mexico should declare war, or commit any open act of hostility, not to act merely on the defensive. Throughout the correspondence it is plain that the intention was to extinguish the Mexican title to this territory by armed occupation; and the instructions are explicit, to treat every assertion of title or movement on the part of Mexico as an act of hostility and to proceed accordingly and resist it.

“To show how Gen. Taylor understood the instructions of his government, it may be observed that on the 2d day of March, thirty miles from Matamoras, at a stream called the Arroyo Colorado, he was met by a party of Mexicans, whose commanding officer informed him that if he crossed the stream, it would be deemed a declaration of war, and put into his hand a copy of General Mejias’s proclamation to that effect. Notwithstanding this, General Taylor put his forces in order of battle, crossed the stream, and pushed on, the Mexicans retreating. He arrived on the Rio Grande, opposite Matamoras, on the 29th day of March.

“Let me now ask your attention to an extract from a letter from Mr. Buchanan to Mr. Slidell, of January 20, 1846. In this letter Mr. Buchanan says:

“‘In the mean time the President, in anticipation of the final refusal of the Mexican government to receive you, has ordered the Army of Texas to advance and take position on the left bank of the Rio Grande; and has directed that

a strong fleet shall be immediately assembled in the Gulf of Mexico. He will thus be prepared to act with vigor and promptitude the moment that Congress shall give him the authority.'

"Now, if, by this advance of troops, possession would be taken on the extreme line claimed by us, what further vigorous action did the President expect Congress to authorize? Did he expect Congress to make a general declaration of war? Congress was then in session. Why not consult it? Why take a step not made necessary by any pressing danger, and which might naturally lead to war, without requiring the authority of Congress in advance? With Congress is the power of peace and war; to anticipate its decision by the adoption of measures leading to war is nothing less than an executive interference with the legislative power. Nothing but the necessity of self-defense could justify the sending of troops into a territory claimed and occupied by a power with which at that time no war existed. And there was, I think, no case of such necessity of self-defence. Mr. Slidell replied to Mr. Buchanan on the 17th day of February, saying: 'The advance of General Taylor's force to the left bank of the Rio Grande and the strengthening of our squadron in the Gulf are wise measures, which may exercise a salutary influence upon the course of this government.'

"The army was thus ordered to the extreme limits of our claim; to our utmost boundary, as asserted by ourselves; and here it was to be prepared to act further, and to act with promptitude and vigor. Now, it is a very significant inquiry, 'Did the President mean by this to bring on, or to run the risk of bringing on, a general war?' Did he expect to be



authorized by Congress to prosecute a general war of invasion and acquisition? I repeat the question, Why not take the opinion of Congress, it then being in session, before any war-like movement was made? Mr. Buchanan's letter is of the 20th day of January. The instructions to march to the Rio Grande had been given on the 13th. Congress was in session all this time; and why should, and why did, the executive take so important a step, not necessary for self-defence and leading to immediate war, without the authority of Congress? This is a grave question and well deserves an answer.

"Allow me to repeat, for it is a matter of history, that before and at the time when these troops were ordered to the left bank of the Rio Grande there was no danger of invasion by Mexico or apprehension of hostilities by her. This is perfectly evident from General Taylor's letters to the government through the preceding summer and down to the time the orders were given.

"I now refer to these letters.

"On the 15th day of August, General Taylor writes: 'In regard to the force at other points on the Rio Grande, except the militia of the country, I have no information; nor do I hear that the reported concentration at Matamoras is for any purpose of invasion.' On the 20th day of August he says: 'Caravans of traders arrive occasionally from the Rio Grande, but bring no news of importance. They represent that there are no regular troops on that river except at Matamoras, and do not seem to be aware of any preparations for a demonstration on this bank of the river.' On the 6th day



of September he writes thus: 'I have the honor to report that a confidential agent, despatched some days since to Matamoras, has returned and reports that no extraordinary preparations are going forward there; that the garrison does not seem to have been increased, and that our consul is of the opinion that there will be no declaration of war.' On the 11th day of October he says: 'Recent arrivals from the Rio Grande bring no news or information of a different aspect from that which I reported in my last. The views expressed in previous communications relative to the pacific disposition of the border people on both sides of the river are continually confirmed.' This was the last dispatch, I presume, received by the War Department before giving the order of January 13th for the march of the army.

"A month after the order of march had been given all General Taylor's previous accounts were confirmed by him. On the 16th day of February he thus writes to the Adjutant-General at Washington: 'Many reports will doubtless reach the Department giving exaggerated accounts of Mexican preparations to resist our advance, if not indeed to attempt an invasion of Texas. Such reports have been circulated even at this place, and owe their origin to personal interests connected with the stay of the army here. I trust they will receive no attention at the War Department. From the best information I am able to obtain, and which I deem as authentic as any, I do not believe that our advance to the banks of the Rio Grande will be resisted. The army, however, will go fully prepared for a state of hostilities, should they unfortunately be provoked by the Mexicans.'

"This official correspondence proves, I think, that there

was no danger of invasion or of hostilities of any kind from Mexico at the time of the march of the army. It must, in fact, be plain to everybody that the ordering of the army to the Rio Grande was a step naturally, if not necessarily, tending to provoke hostilities and to bring on war. I shall use no inflammatory or exciting language, but it seems to me that this whole proceeding is against the spirit of the Constitution and the just limitations of the different departments of the government; an act pregnant with serious consequences and of dangerous precedent to the public liberties.

“No power but Congress can declare war. But what is the value of this constitutional provision if the President of his own authority may make such military movements as must bring on war? If the war power be in Congress, then everything tending directly or naturally to bring on war should be referred to the discretion of Congress. Was this order of march given in the idle hope of coercing Mexico to treat? If so, idle it was, as the event proved. But it was something worse than a mistake or a blunder; it was, as it seems to me, an extension of executive authority of a very dangerous character. I see no necessity for it and no apology for it, since Congress was in session at the same moment at the other end of Pennsylvania Avenue, and might have been consulted.”

Extracts from a speech of Mr. Clay in the House of Representatives March 24, 1818, on his motion providing for a minister to the United Provinces of Rio de la Plata.

This speech contains the true, well-settled American doctrine, against which the United States is fighting in the Philippine Islands.

\* \* \* \* \* "But I take a broader and a bolder position. I maintain that an oppressed people are authorized, whenever they can, to rise and to break their fetters. This was the great principle of the English Revolution. It was the great principle of our own. Vattel, if authority were wanting, expressly supports this right. We must pass sentence of condemnation upon the founders of our liberty, say that they were rebels, traitors, and that we are at this moment legislating without competent powers, before we can condemn the cause of Spanish America. Our Revolution was mainly directed against the mere theory of tyranny. We had suffered comparatively but little; we had, in some respects, been kindly treated; but our intrepid and intelligent fathers saw, in the usurpation of the power to levy an inconsiderable tax, the long train of oppressive acts that were to follow. They rose, they breasted the storm, they achieved our freedom. Spanish America for centuries has been doomed to the practical effects of an odious tyranny. If we were justified, she is more than justified."

"I am no propagandist. I would not seek to force upon other nations our principles and our liberty if they did not

want them. I would not disturb the repose even of a detestable despotism. But if an abused and oppressed people will their freedom; if they seek to establish it; if, in truth, they have established it—we have a right, as a sovereign power, to notice the fact, and to act as circumstances and our interest require. I will say, in the language of the venerated father of my country, ‘Born in a land of liberty, my anxious recollections, my sympathetic feelings, and my best wishes are irresistibly excited, whensoever, in any country, I see an oppressed nation unfurl the banners of freedom.’ Whenever I think of Spanish America, the image irresistibly forces itself upon my mind of an elder brother whose education has been neglected, whose person has been abused and maltreated, and who has been disinherited by the unkindness of an unnatural parent. And when I contemplate the glorious struggle which that country is now making, I think I behold that brother rising by the power and energy of his fine native genius to the manly rank which Nature and Nature’s God intended for him.” \* \* \* \* \*

“The independence of Spanish America, then, is an interest of primary consideration. Next to that, and highly important in itself, is the consideration of the nature of their governments. That is a question, however, for themselves. They will, no doubt, adopt those kinds of government which are best suited to their condition, best calculated for their happiness. Anxious as I am that they should be free governments, we have no right to prescribe for them. They are, and ought to be, the sole judges for themselves. I am strongly inclined to believe that they will in most, if not all parts of their country, establish free governments. We are

their great example. Of us they constantly speak as of brothers, having a similar origin. They adopt our principles, copy our institutions, and, in many instances, employ the very language and sentiments of our revolutionary papers.

“But it is sometimes said that they are too ignorant and too superstitious to admit of the existence of free government. This charge of ignorance is often urged by persons themselves actually ignorant of the real condition of that people. I deny the alleged fact of ignorance; I deny the inference from that fact, if it were true, that they want capacity for free government; and I refuse to assent to the further conclusion, if the fact were true and the inference just, that we are to be indifferent to their fate.”

\* \* \* \* \* “The fact is not therefore true, that the imputed ignorance exists; but, if it do, I repeat, I dispute the inference. It is the doctrine of thrones, that man is too ignorant to govern himself. Their partisans assert his incapacity in reference to all nations; if they can not command universal assent to the proposition, it is then demanded as to particular nations, and our pride and our presumption too often make converts of us. I contend that it is to arraign the dispositions of Providence himself to suppose that He has created beings incapable of governing themselves and to be trampled on by kings. Self-government is the natural government of man, and for proof I refer to the aborigines of our own land.” \* \* \* \* \*



















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